



Arlington Zoning Board of Appeals

Date: Tuesday, May 24, 2022
Time: 7:30 PM
Location: Conducted by remote participation
Additional Details:

Agenda Items

Administrative Items

1. **Remote Participation Details**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

You are invited to a Zoom meeting.
When: May 24, 2022 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:
<https://town-arlington-ma-us.zoom.us/join/tZEuceqhrTwuHdbPsPO7HiFvGDcLOfgM1XH2>

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 853 6393 7472

Find your local number: <https://town-arlington-ma-us.zoom.us/join/adNWeNXzLr>

Dial by Location: 1-646-876-9923 US (New York)

Hearings

2. **Docket # 3697: 30 Venner Road**
3. **Docket # 3688 : 44 Edmund Road**
4. **Docket # 3698 : 39 Tufts Street**
5. **Docket # 3696 : 82 Grandview Road**

Meeting Adjourn

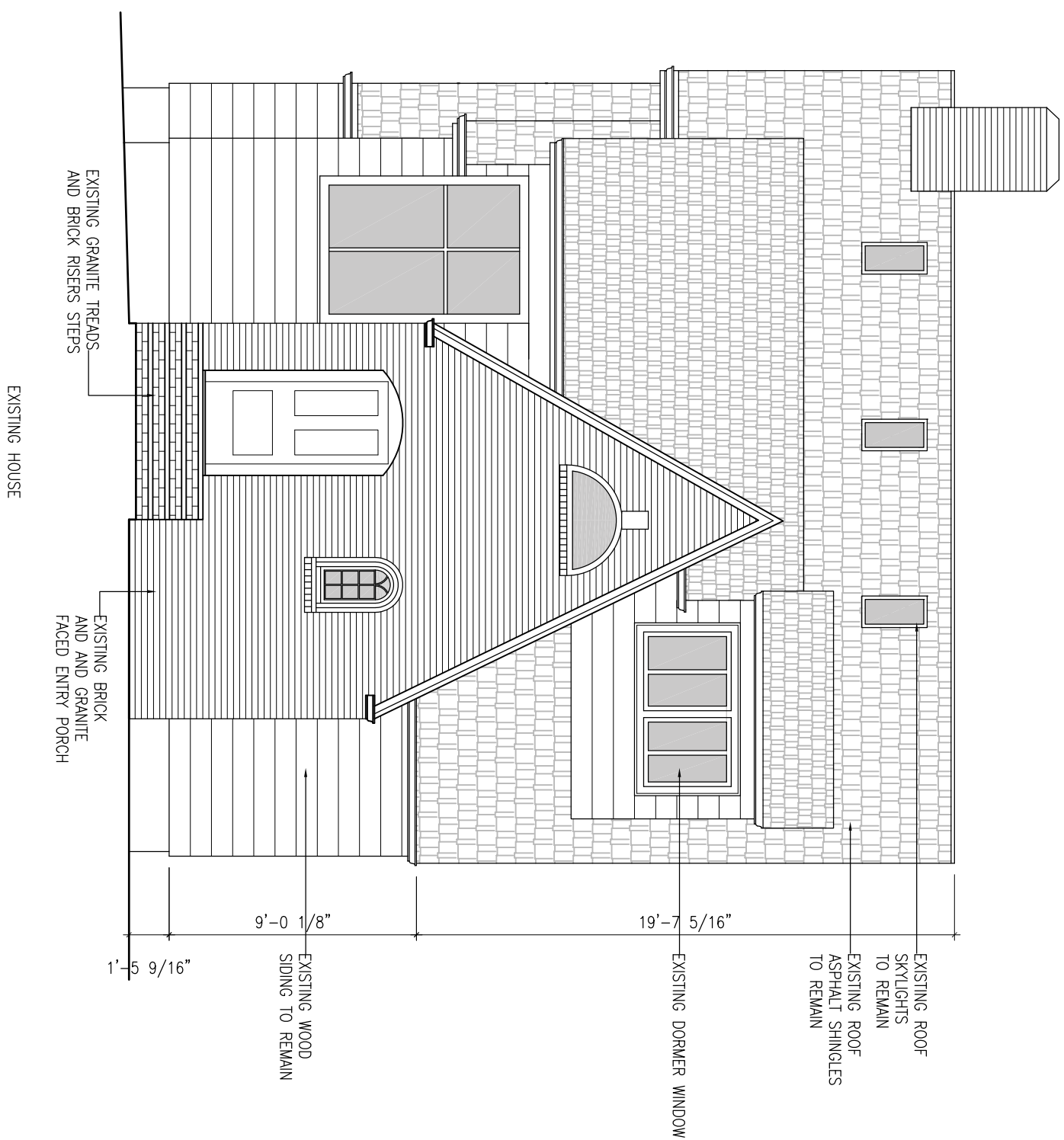


Town of Arlington, Massachusetts

Docket # 3697: 30 Venner Road

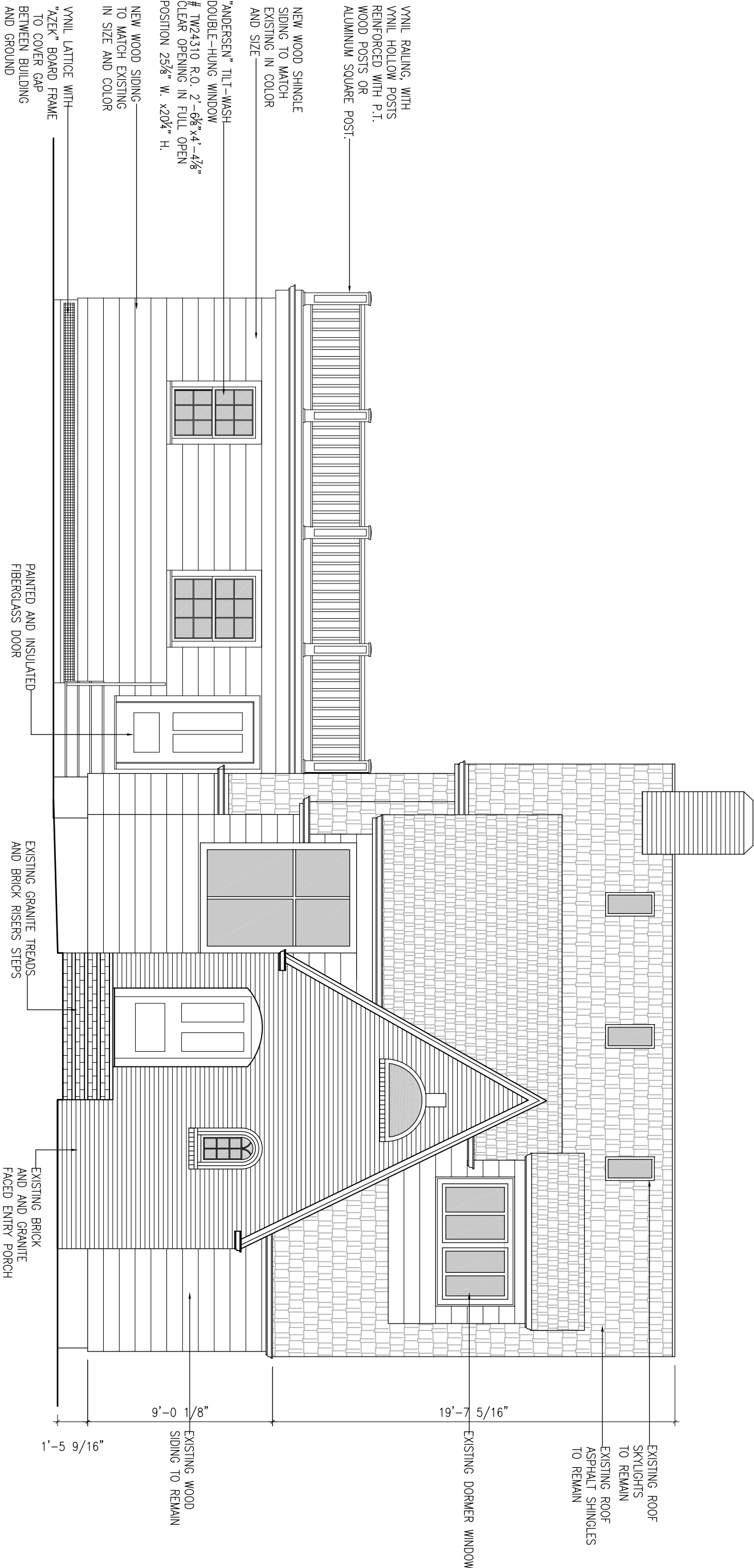
ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	A-11_Venner_Road__Arlington.pdf	A-11 Venner Road, Arlington
▣ Reference Material	A-12_Venner_Road__Arlington.pdf	A-12, Venner Road, Arlington



1
A-11 EXISTING FRONT ELEVATION OF THE HOUSE
SCALE: 3/16" = 1'-0"

PROJECT LOCATION:	30 VENNERS ROAD, ARLINGTON	DRAWN: K.M. CHECKED: K.M.
PROJECT TITLE:	PROPOSED ADDITION FOR AN IN-LAW APARTMENT TO THE LEFT OF THE HOUSE AND A SECOND FLOOR DECK ABOVE THE IN-LAW APARTMENT AND A FIRST FLOOR DECK TO THE REAR OF THE HOUSE	DATE: 05/10/2022 SCALE: 3/16" = 1'-0"
SHEET TITLE:	EXISTING FRONT ELEVATION OF THE HOUSE	DRAWING NO.: A-11



1
A-12

PROPOSED FRONT ELEVATION OF THE HOUSE

SCALE: 3/16" = 1'-0"

PROJECT LOCATION:	30 VENNOR ROAD, ARLINGTON	DRAWN: K.M.
PROJECT TITLE:	PROPOSED ADDITION FOR AN IN-LAW APARTMENT TO THE LEFT OF THE HOUSE AND A SECOND FLOOR DECK ABOVE THE IN-LAW APARTMENT AND A FIRST FLOOR DECK TO THE REAR OF THE HOUSE	CHECKED: K.M.
SHEET TITLE:	PROPOSED FRONT ELEVATION OF THE HOUSE	DATE: 05/10/2022 SCALE: 3/16" = 1'-0"
		DRAWING NO.: A-12



Town of Arlington, Massachusetts

Docket # 3688 : 44 Edmund Road

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	ZBA_Package__44_Edmund_Road_(2).pdf	ZBA Package, 44 Edmund Road (2)



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

TOWN CLERK'S OFFICE
ARLINGTON, MA 02174

2022 APR 22 AM 10:42

RECEIVED

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **James Ciper** of Arlington, MA. On March 3, 2022, a petition seeking permission to alter his property located at **44 Edmund Road-Block Plan 151.0-0001-0001B** Said petition would require a Special Permit and a Variance under **Section 5-18 (6) and Section 5-15** respectively of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening May 24, 2022 at 7:30 P.M** or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:
<https://town-arlington-ma-us.zoom.us/join/tZ0udu6hrz4iEtcR6s2r9eZiaorRAsgbMh>

For documentation relating to this petition, visit the ZBA website at www.arlingtonma.gov/zba.

DOCKET NO 3688

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR VARIANCE
TOWN OF ARLINGTON

TOWN CLERK'S OFFICE
ARLINGTON, MA 02155
2022 MAR -3 AM 11:56


In the matter of the Application of **44 Edmund Road, Arlington, MA**
to the Zoning Board of Appeals for the Town of Arlington:

RECEIVED

Application for a Variance is herewith made, in accordance with Section 3.2 of the Zoning Bylaw of the Town of Arlington, Massachusetts seeking relief from the following specific provisions of the Zoning Bylaw, and as described more fully in the attached form, *Variance Criteria*:

Projections into minimum side yard setback.

The Petitioner/Applicant states he/she/they is/are the owner-occupant of the land in Arlington located at 44 Edmund Road with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows: Seeking relief from side yard setbacks on both sides of the property. The existing left side setback of the house is 8.2' and the existing right side setback is 8.9'. Due to the orientation of the house in respect to the setbacks as well as the shape of the property in order to construct an addition keeping the exterior walls in the same plane as they currently sit, the addition will encroach on each side yard setback. The proposed design has a left and right side yard setback of 8.1'.

E- Mail: mail@kneelandconstruction.com Signed:  Date: 01/10/2022
Telephone: (781)393-9899 Address: 407R Mystic Ave. Suite 34B Medford, MA 02155

Variance Criteria:

The power of the Board of Appeals to grant a Variance from the literal application of the Zoning Bylaw is strictly limited by State Law. Under MGL, Chapter 40a, Section 10, the Board of Appeals must “specifically find” for a particular piece of land or a specific structure that “owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ... by-law would involve substantial hardship, financial or otherwise, to the petitioner ... , and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw.” (emphasis added.)

Thus, Under State Law, a Variance may only be granted when all of the four (4) following criteria are met:

1). Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.

Due to the layout of the existing structure, the topography of the land, the shape of the plot, and the desire to create the most cost-effective expansion, a variance is needed in order to expand into the minimum side yard setback. There’s a steep hill as you go towards the rear of the property which limits the depth of the addition. Therefore, within the realm of reasonability, we are unable to create a more narrow, longer addition.

2). Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.

The petitioner seeks permission for a variance on this project for several reasons. 1) The main purpose of this expansion is to allow a growing family to live together in a more comfortable space. 2) The design also considers the cost associated with this project. 3) The topography of the plot limits the usable depth of the property.

In conclusion, the enforcement of the provisions could limit the possibility of growth within the family as well as prohibit the home from becoming a multi-generational home in the future. This puts financial as well as emotional strain on the family as a whole due to the increased housing costs, it is harder for working class families to stay in the Town of Arlington.

Secondly, after analyzing the topography of the plot, we’ve determined that due to the steep incline in the rear yard we will not be able to reasonably lessen the width of the addition and add depth to construct the modest size of the expansion desired.

Lastly, any limit or contingency placed upon the modest proposed design could impede the efficiency and efficacy of the space, thus causing issues in the future.

3). Describe how desirable relief may be granted without substantial detriment to the public good.

The desired relief has no detriment to the public good. The plan does not impede on any other properties as the proposed exterior walls follow in the same plane as existing, it will not change the number of inhabitants nor will it change the makeup of the neighborhood.

If anything, the proposed design has potential to be a boon to the community as it allows for a long-term Arlington family to remain in their home, keeping the property from being bought by developers or potential rental agencies. It also allows for growth of the family within their home, keeping the neighborhood family oriented therefore maintaining the character of the area.

4). Describe how desirable relief may be granted ... without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

While we cannot be sure of the original intent of the Zoning Bylaw, we presume it was either to protect the spacing of the structures, ensuring the neighborhood doesn't become "clustered" or to prevent turning a neighborhood of primarily one family homes into multi-family homes and rental units.

In response to the former, the proposed expansion only slightly encroaches the side yard setback, this is due mainly to the wedge shape of the lot as well as the orientation of the structure in respect to the lot. The proposed addition extends straight back with the exterior walls in the same plane as the existing structure.

In response to the latter, as mentioned previously, this is a single-family home occupied by a growing family. In order for the current family and possible new generations to come to stay in their home, in the Town of Arlington, we are trying to create more living space for them to grow as a family, and there is no intent of subdividing this home into condos, multi-family homes, etc.

The house was built in ~1940, during that time the Zoning Bylaws were not what they are today. The shape and size of this plot as well as the positioning of the home currently does not comply with the zoning bylaws such as minimum lot size, minimum frontage, and the minimum setbacks of the zone in which it's classified. This leads us to believe that this project is a perfect suit for variance approval.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 44 Edmund Road Zoning District: R1

2. Present Use/Occupancy: Single Family Residential No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
1380 Sq. Ft.

4. Proposed Use/Occupancy: Single Family Residential No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
776 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	5023	5023	min. 6000
7. Frontage (Ft.)	45	45	min. 60
8. Floor area ratio	27.5%	42.9%	max. N/A
9. Lot Coverage (%)	14.8%	22.8%	max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	5023	5023	min. N/A
11. Front Yard Depth (Ft.)	18	18	min. 25
12. Left Side Yard Depth (Ft.)	8.2	8.1	min. 10
13. Right Side Yard Depth (Ft.)	8.9	8.1	min. 10
14. Rear Yard Depth (Ft.)		45.4	min. 20
15. Height (Stories)	2	2	max. 2.5
16. Height (Ft.)	28.5	28.5	max. 35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
17A. Landscaped Open Space (% of GFA)			min. 10%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	2375	1750	
18A. Usable Open Space (% of GFA)	172%	81%	min. 30%
19. Number of Parking Spaces	2	2	min. 1
20. Parking area setbacks (if applicable)	N/A	N/A	min. N/A
21. Number of Loading Spaces (if applicable)	N/A	N/A	min. N/A
22. Type of construction	V	V	N/A
23. Slope of proposed roof(s) (in. per ft.)	8+/-	9+/-	min. N/A

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 44 Edmund Road Zoning District: R1

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>5023</u>	<u>5023</u>
Open Space, Usable	<u>2375</u>	<u>1750</u>
Open Space, Landscaped	<u> </u>	<u> </u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>0</u>	<u>0</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>0</u>	<u>0</u>
1 st Floor	<u>756</u>	<u>1111</u>
2 nd Floor	<u>624</u>	<u>1045</u>
3 rd Floor	<u>N/A</u>	<u>N/A</u>
4 th Floor	<u>N/A</u>	<u>N/A</u>
5 th Floor	<u>N/A</u>	<u>N/A</u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>N/A</u>	<u>N/A</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>N/A</u>	<u>N/A</u>
All weather habitable porches and balconies	<u>N/A</u>	<u>N/A</u>
Total Gross Floor Area (GFA)	<u>1380</u>	<u>2156</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u> </u>	<u> </u>
Landscaped Open Space (% of GFA)	<u> </u>	<u> </u>
Usable Open Space (Sq. Ft.)	<u>2375</u>	<u>1750</u>
Usable Open Space (% of GFA)	<u>172%</u>	<u>81%</u>

This worksheet applies to plans dated 07/08/2021 designed by E.I.

Reviewed with Building Inspector: _____ Date: _____

TOWN CLERK'S OFFICE
TOWN OF ARLINGTON, MA
2022 MAR 31 PM 2:34

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

RECEIVED


In the matter of the Application of 44 Edmund Road
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

"Large Additions" Section 5-18 / Districts & Uses #6

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 44 Edmund Road with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

Relief from "Large Additions" Section 5-18 / Districts & Uses. Proposed addition is ~854 square
feet, ~104 square feet larger than the 750 square feet allowed by right.

E-Mail: mail@kneelandconstruction.com Signed:  Date: 03/14/2022
Telephone: (718)393-9899 Address: 407R Mystic Ave. Suite 34B Medford MA 02155

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

"Large Additions" Section 5-18 / Districts & Uses #6

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*
The proposed addition creates more living area for a growing long term Arlington family. This will
allow the family to stay in there home while also giving them the space they need.

C). Explain why *the requested use will not create undue traffic congestion; or unduly impair pedestrian safety.*
The proposed addition is to the rear side of the property and the addition will not increase the number
of inhabitants living on the property. Therefore the proposed design will not create undue traffic
nor will it impair pedestrian safety.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*
The number of inhabitants does not change due to this addition, simply expanding to create more
living space for the current family. Therefore the proposed addition will not overlode any public
water, drainage/sewer system, or any other municipal system.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

The home is non-conforming in natue due to the lot size, shape, etc. The proposed addition
does not increase the number of inhabitants nor does it impair the integrity or character of the
neighborhood or the district.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The ditrict is primarily residential homes. This proposed addition allows for the family to grow and
stay in their home, keeping the property from being bought by developers or rental agencies. Thus,
keeping the district family oriented and not impairing the integrity or character of the district/districts.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The neighborhood is primarily single family homes. This addition allows a long term Arlington
family, to stay in their home, while creating more living area for the family to grow. Thus, keeping
the neighborhood family oriented therefore maintaining the character of the neighborhood.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 44 Edmund Road Zoning District: R1

2. Present Use/Occupancy: Single Family Residential No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
1380 Sq. Ft.

4. Proposed Use/Occupancy: Single Family Residential No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
854 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning	
6. Lot size (Sq. Ft.)	5023	5023	min.	6000
7. Frontage (Ft.)	45	45	min.	60
8. Floor area ratio	27.5%	44.5	max.	N/A
9. Lot Coverage (%)	14.8%	22.8%	max	35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	5023	5023	min.	N/A
11. Front Yard Depth (Ft.)	18	18	min.	25
12. Left Side Yard Depth (Ft.)	8.2	8.1	min.	10
13. Right Side Yard Depth (Ft.)	8.9	8.1	min.	10
14. Rear Yard Depth (Ft.)		45.4	min.	20
15. Height (Stories)	2	2	max.	2.5
16. Height (Ft.)	28.5	28.5	max.	35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.				
17A. Landscaped Open Space (% of GFA)			min.	10%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	4279.5	3877.2		
18A. Usable Open Space (% of GFA)			min.	30%
19. Number of Parking Spaces	2	2	min.	1
20. Parking area setbacks (if applicable)	N/A	N/A	min.	N/A
21. Number of Loading Spaces (if applicable)	N/A	N/A	min.	N/A
22. Type of construction	V	V	N/A	
23. Slope of proposed roof(s) (in. per ft.)	8+/-	9+/-	min.	N/A

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 44 Edmund Road Zoning District: R1

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>5023</u>	<u>5023</u>
Open Space, Usable	<u>4279.5</u>	<u>3877.2</u>
Open Space, Landscaped	<u> </u>	<u> </u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>0</u>	<u>0</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>0</u>	<u>0</u>
1 st Floor	<u>756</u>	<u>1158</u>
2 nd Floor	<u>624</u>	<u>1076</u>
3 rd Floor	<u>N/A</u>	<u>N/A</u>
4 th Floor	<u>N/A</u>	<u>N/A</u>
5 th Floor	<u>N/A</u>	<u>N/A</u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>N/A</u>	<u>N/A</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>N/A</u>	<u>N/A</u>
All weather habitable porches and balconies	<u>N/A</u>	<u>N/A</u>
Total Gross Floor Area (GFA)	<u>1380</u>	<u>2234</u>

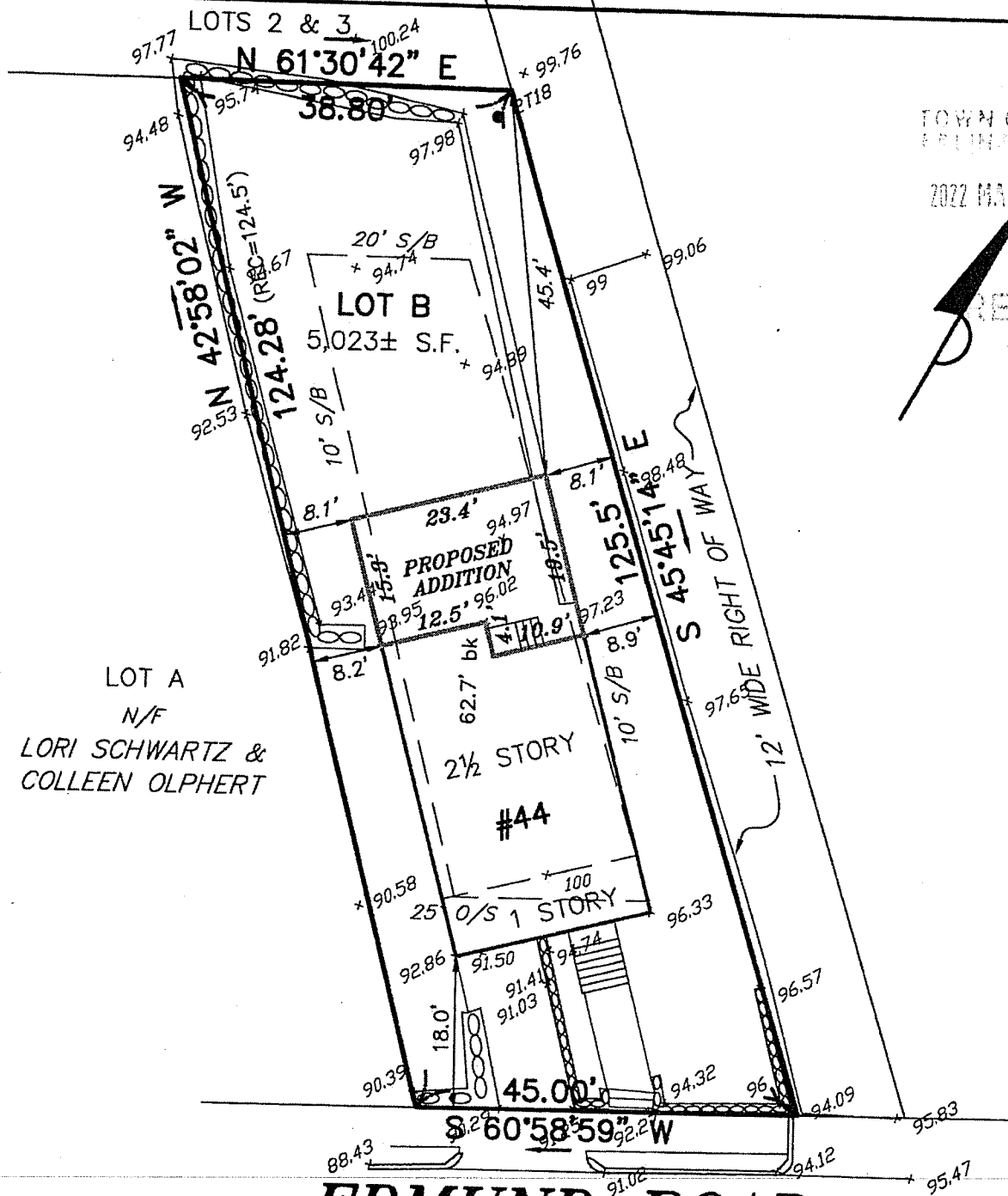
† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u> </u>	<u> </u>
Landscaped Open Space (% of GFA)	<u> </u>	<u> </u>
Usable Open Space (Sq. Ft.)	<u>4279.5</u>	<u>3877.2</u>
Usable Open Space (% of GFA)	<u> </u>	<u> </u>

This worksheet applies to plans dated 07/08/2021 designed by E.I.

Reviewed with Building Inspector: Date:

TRUSTEES OF 155 FOREST REALTY TRUST



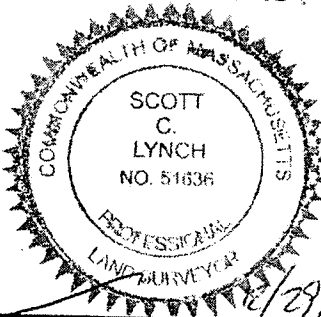
TOWN CLERK'S OFFICE
ARLINGTON, MA 02461

2022 MAR 3 AM 11:56

RECEIVED

OWNER: JAMES & MELANIE CIPAR

I HEREBY CERTIFY THAT THE BUILDING IS
LOCATED AS SHOWN.



SCOTT LYNCH, PLS

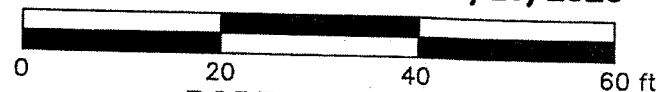
DATE

THIS PLAN MAY HAVE BEEN ALTERED IF
THE SIGNATURE IS NOT SIGNED IN BLUE.

PROPOSED PLOT PLAN
#44 EDMUND ROAD

IN
ARLINGTON, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 12/29/2020



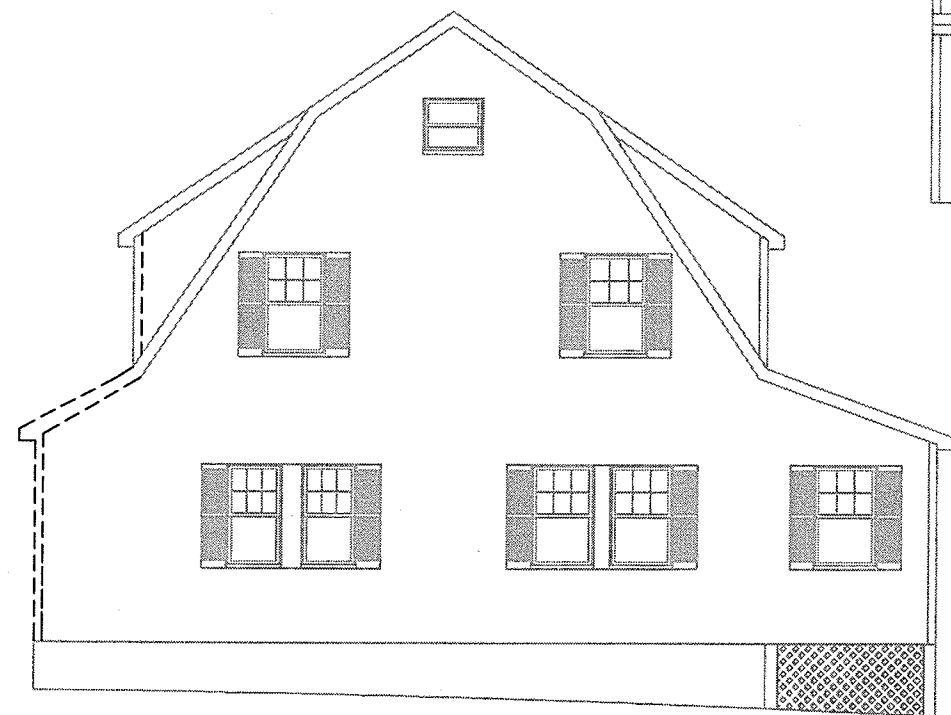
ROBER SURVEY

1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02461
(781) 648-5533

6302PP1.DWG

NOTES:

- STRIP AND RESIDE MAIN HOUSE
- REPLACE ALL EXTERIOR TRIM
- STRIP EXISTING ROOF AND FURNISH AND INSTALL NEW SHINGLES



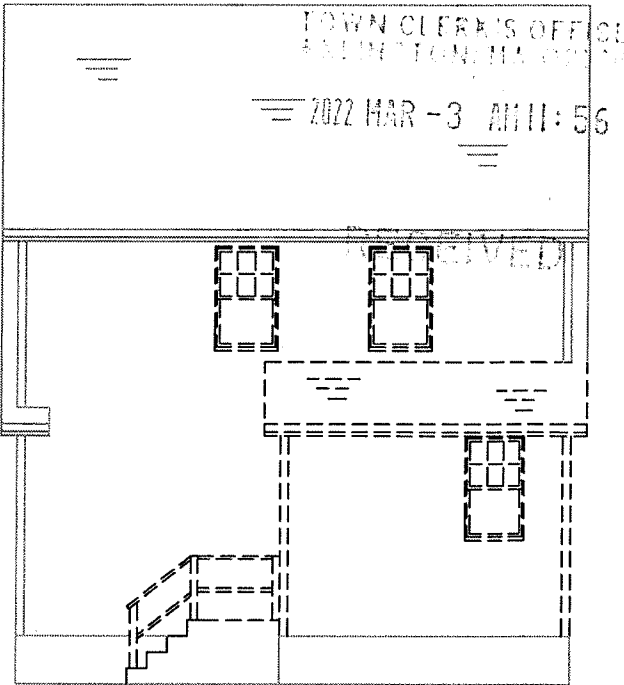
EXISTING LEFT SIDE ELEVATION
SCALE: 1/8"=1'-0"



EXISTING FRONT ELEVATION
SCALE: 1/8"=1'-0"



EXISTING RIGHT SIDE ELEVATION
SCALE: 1/8"=1'-0"



EXISTING REAR ELEVATION
SCALE: 1/8"=1'-0"

EXTERIOR PLYWOOD SHEATHING TO ACT AS CONTINUOUS BRACING
METHOD PER IRC 2018 R602.10 METHOD CS-WSP.
END CONDITIONS TO BE PROVIDED PER FIGURE R602.10.7. NAILING
SHALL BE 8D COMMON 2.5", SPACING TO BE 6" O.C. AT EDGES AND 12" FIELD.

WINDOW SCHEDULE
ANDERSON

TW18210: RO 1'-10-1/8" X 3'-7/8"
TW20310: RO 2'-2-1/8" X 4'-7/8"
TW2442: RO 2'-6-1/8" X 4'-4-7/8"
TW24310: RO 2'-6-1/8" X 4'-7/8"

WINDOW SCHEDULE
HARVEY

DTR2810: RO 1'-1/2" X 2'-10"

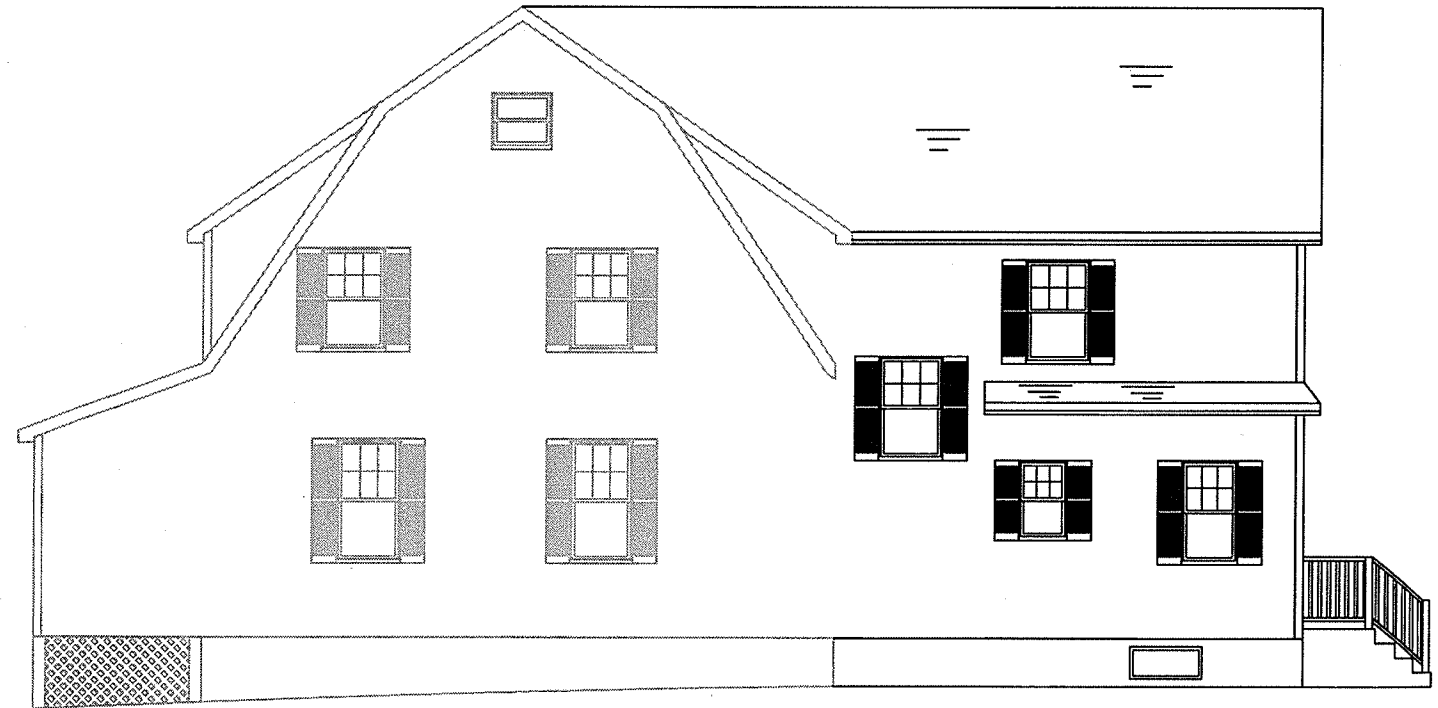
LEGEND
— PROPOSED
— EXISTING
--- DEMO

- Ⓜ HEAT DETECTOR
- Ⓢ PHOTOELECTRIC SMOKE DETECTOR
- Ⓢ CO DETECTOR
- Ⓢ COMBINATION DETECTOR

KNEELAND CONSTRUCTION CORPORATION		REVISION	DATE	TITLE
407R MYSTIC AVE SUITE 34B MEDFORD, MA		1	09/13/2021	CO #2 & 3
P: (781) 393-9899 F: (781) 393-0601				
CIPAR RESIDENCE		CHECKED BY: COD		SCALE: AS NOTED
44 EDMUND ROAD		DRAWN BY: EI		DATE: 07/08/2021
ARLINGTON, MA		TITLE		SHEET NO.
		ARCHITECTURAL PLANS		A-01



PROPOSED REAR ELEVATION
SCALE: 1/8"=1'-0"



PROPOSED RIGHT SIDE ELEVATION
SCALE: 1/8"=1'-0"



PROPOSED LEFT SIDE ELEVATION
SCALE: 1/8"=1'-0"

SHUTTERS BY OTHERS

EXTERIOR PLYWOOD SHEATHING TO ACT AS CONTINUOUS BRACING
METHOD PER IRC 2018 R602.10 METHOD CS-WSP.
END CONDITIONS TO BE PROVIDED PER FIGURE R602.10.7. NAILING
SHALL BE 8D COMMON 2.5", SPACING TO BE 6" O.C. AT EDGES AND 12" FIELD.

WINDOW SCHEDULE
ANDERSON

TW18210: RO 1'-10-1/8" X 3'-7/8"
TW20310: RO 2'-2-1/8" X 4'-7/8"
TW2442: RO 2'-6-1/8" X 4'-4-7/8"
TW24310: RO 2'-6-1/8" X 4'-7/8"

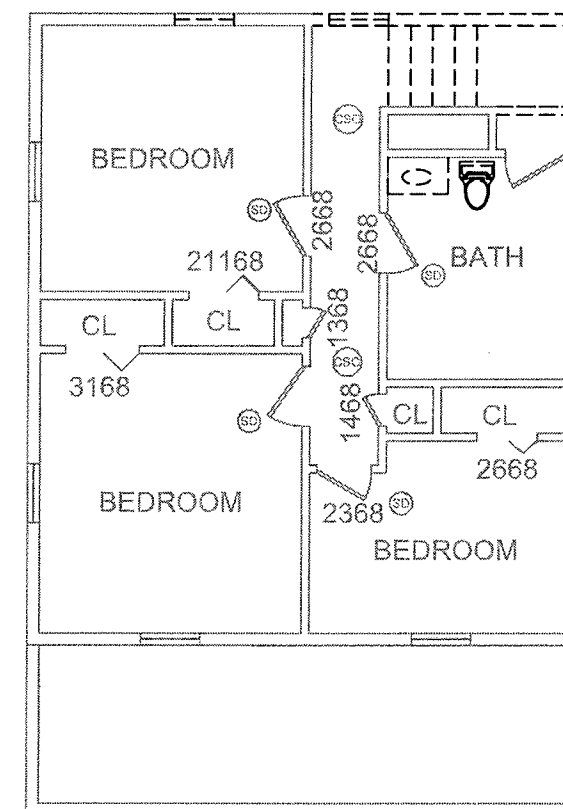
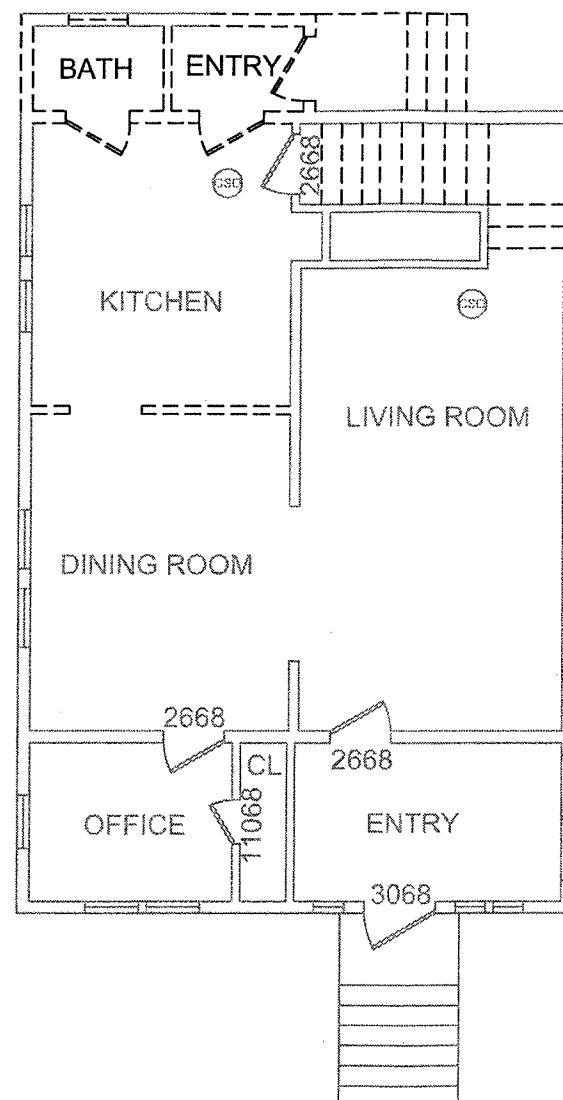
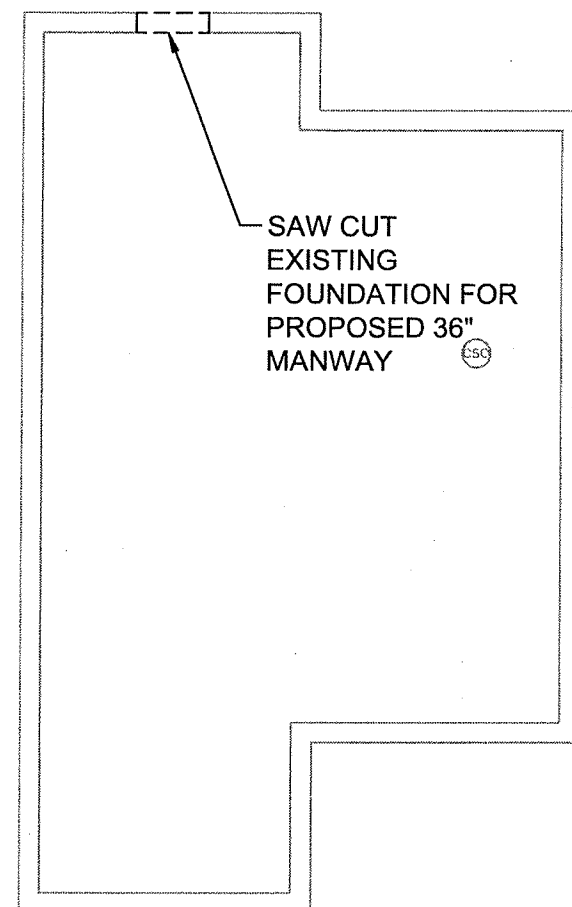
WINDOW SCHEDULE
HARVEY

DTR2810: RO 1'-1/2" X 2'-10"

LEGEND
— PROPOSED
— EXISTING
--- DEMO

Ⓜ HEAT DETECTOR
Ⓢ PHOTOELECTRIC SMOKE DETECTOR
Ⓢ CO DETECTOR
Ⓢ COMBINATION DETECTOR

KNEELAND CONSTRUCTION CORPORATION			REVISION	DATE	TITLE
407R MYSTIC AVE SUITE 348 MEDFORD, MA			1	09/13/2021	CO #2 & 3
P: (781) 393-9899 F: (781) 393-0601					
CIPAR RESIDENCE			CHECKED BY: COD		DRAWN BY: EI
44 EDMUND ROAD			TITLE		SCALE: AS NOTED
ARLINGTON, MA			ARCHITECTURAL PLANS		DATE: 07/08/2021
					SHEET NO.
					A-02



EXTERIOR PLYWOOD SHEATHING TO ACT AS CONTINUOUS BRACING
METHOD PER IRC 2018 R602.10 METHOD CS-WSP.
END CONDITIONS TO BE PROVIDED PER FIGURE R602.10.7. NAILING
SHALL BE 8D COMMON 2.5", SPACING TO BE 6" O.C. AT EDGES AND 12" FIELD.

WINDOW SCHEDULE
ANDERSON

TW18210: RO 1'-10-1/8" X 3'-7/8"
TW20310: RO 2'-2-1/8" X 4'-7/8"
TW2442: RO 2'-6-1/8" X 4'-4-7/8"
TW24310: RO 2'-6-1/8" X 4'-7/8"

WINDOW SCHEDULE
HARVEY

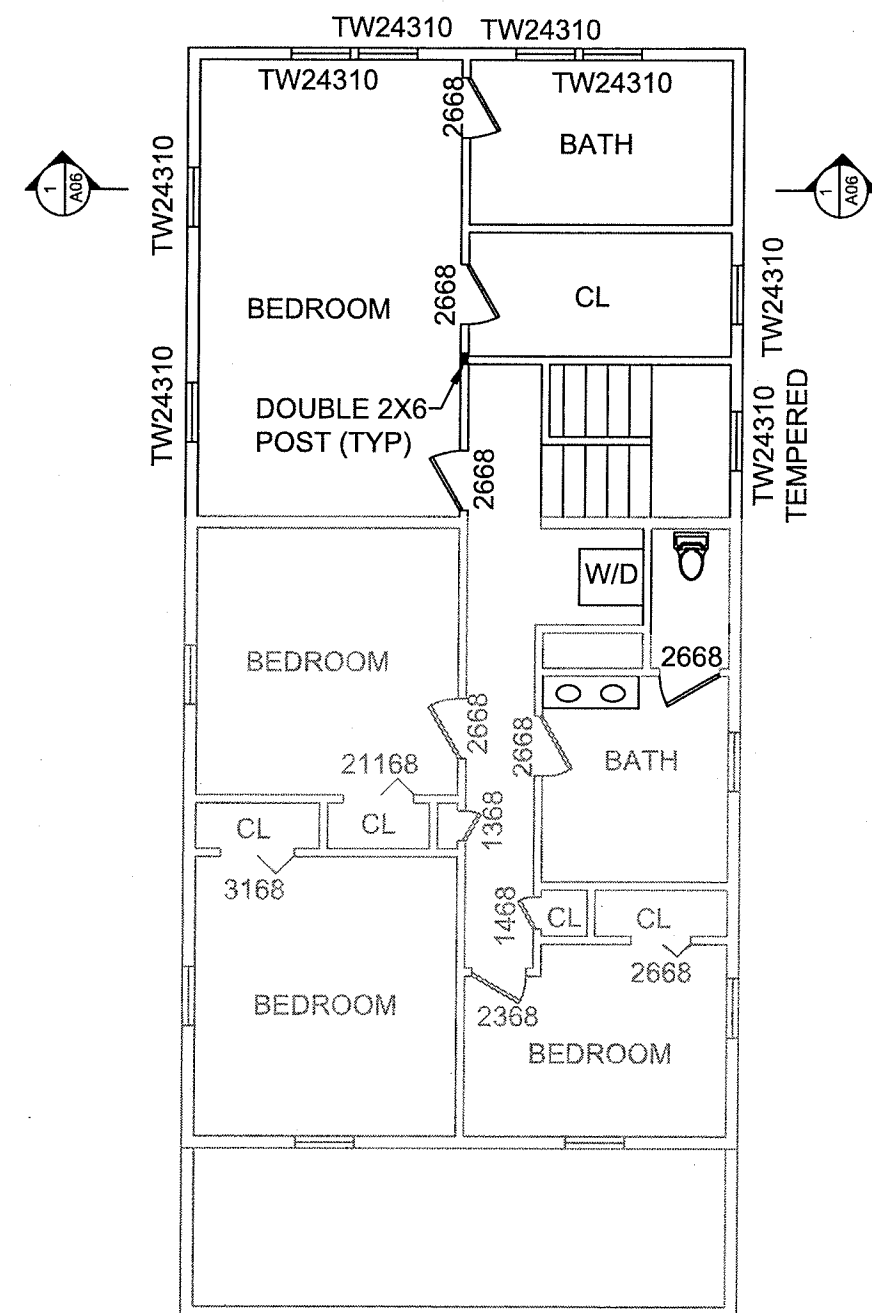
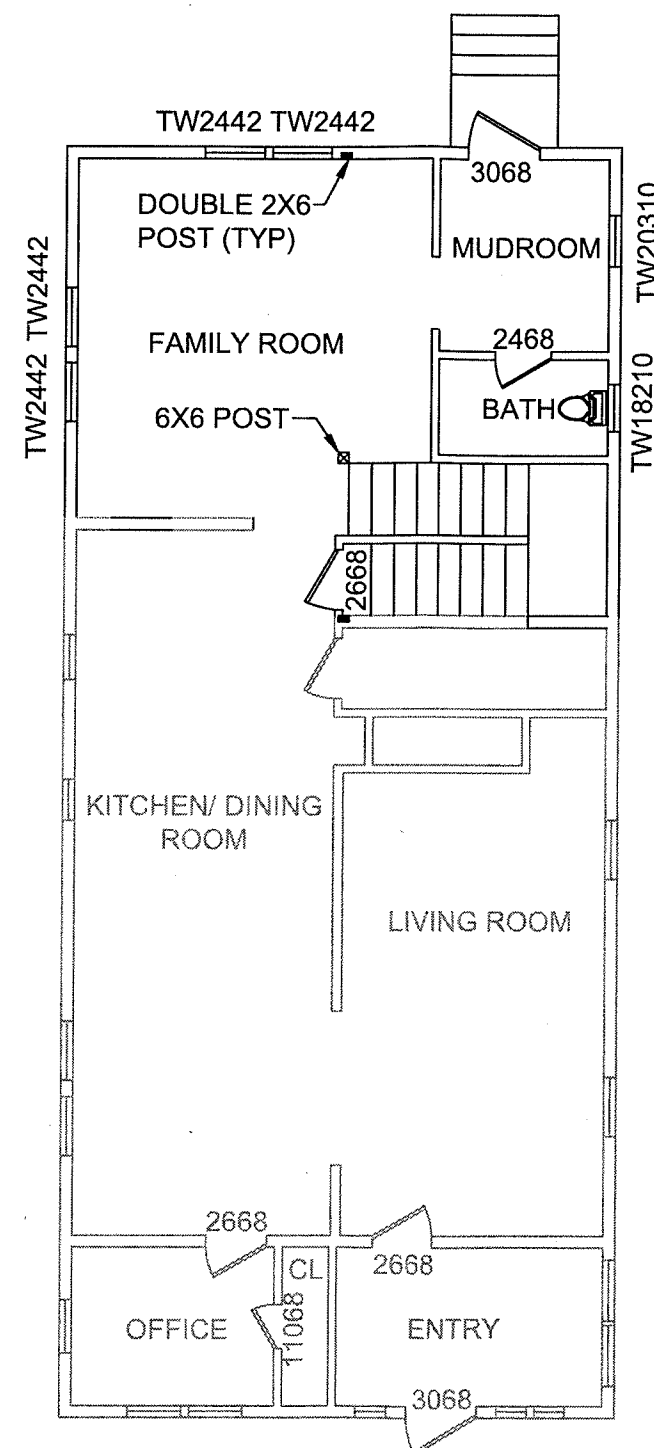
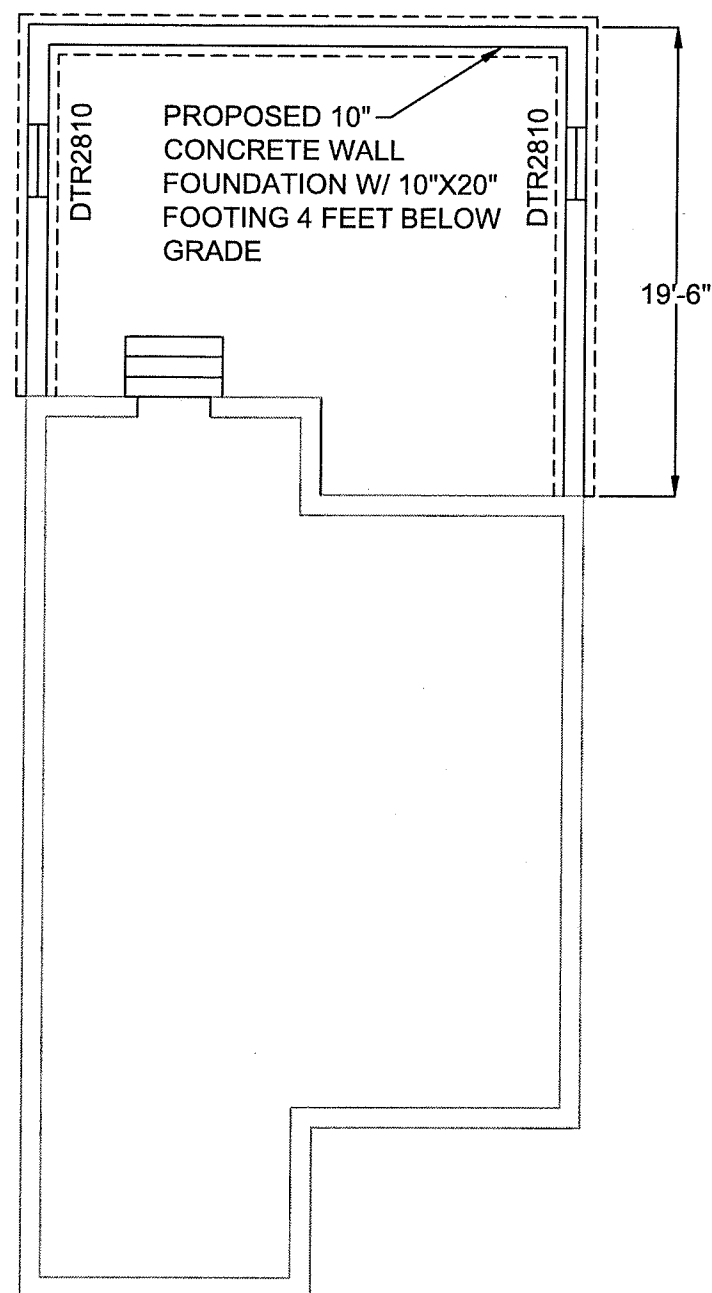
DTR2810: RO 1'-1/2" X 2'-10"

LEGEND

— PROPOSED
--- EXISTING
--- DEMO

- ☐ H HEAT DETECTOR
- ☐ SD PHOTOELECTRIC SMOKE DETECTOR
- ☐ CO CO DETECTOR
- ☐ CSO COMBINATION DETECTOR

KNEELAND CONSTRUCTION CORPORATION 407R MYSTIC AVE SUITE 348 MEDFORD, MA P: (781) 393-9899 F: (781) 393-0601	REVISION	DATE	TITLE
	1	09/13/2021	CO #2 & 3
CHECKED BY: COD		DRAWN BY: EI	SCALE: AS NOTED
CIPAR RESIDENCE	TITLE ARCHITECTURAL PLANS		DATE: 07/08/2021
44 EDMUND ROAD			SHEET NO.
ARLINGTON, MA			A-03



EXTERIOR PLYWOOD SHEATHING TO ACT AS CONTINUOUS BRACING
METHOD PER IRC 2018 R602.10 METHOD CS-WSP.
END CONDITIONS TO BE PROVIDED PER FIGURE R602.10.7. NAILING
SHALL BE 8D COMMON 2.5", SPACING TO BE 6" O.C. AT EDGES AND 12" FIELD.

WINDOW SCHEDULE
ANDERSON

TW18210: RO 1'-10-1/8" X 3'-7/8"
TW20310: RO 2'-2-1/8" X 4'-7/8"
TW2442: RO 2'-6-1/8" X 4'-4-7/8"
TW24310: RO 2'-6-1/8" X 4'-7/8"

WINDOW SCHEDULE
HARVEY

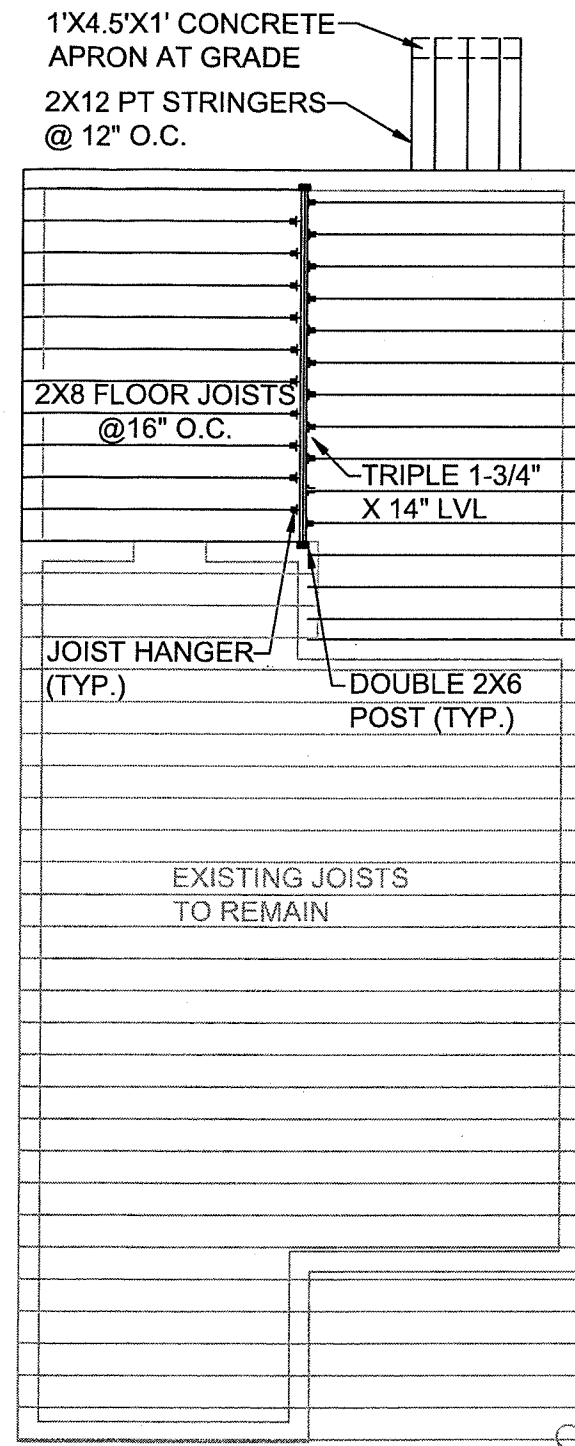
DTR2810: RO 1'-1/2" X 2'-10"

LEGEND

— PROPOSED
 - - - EXISTING
 --- DEMO

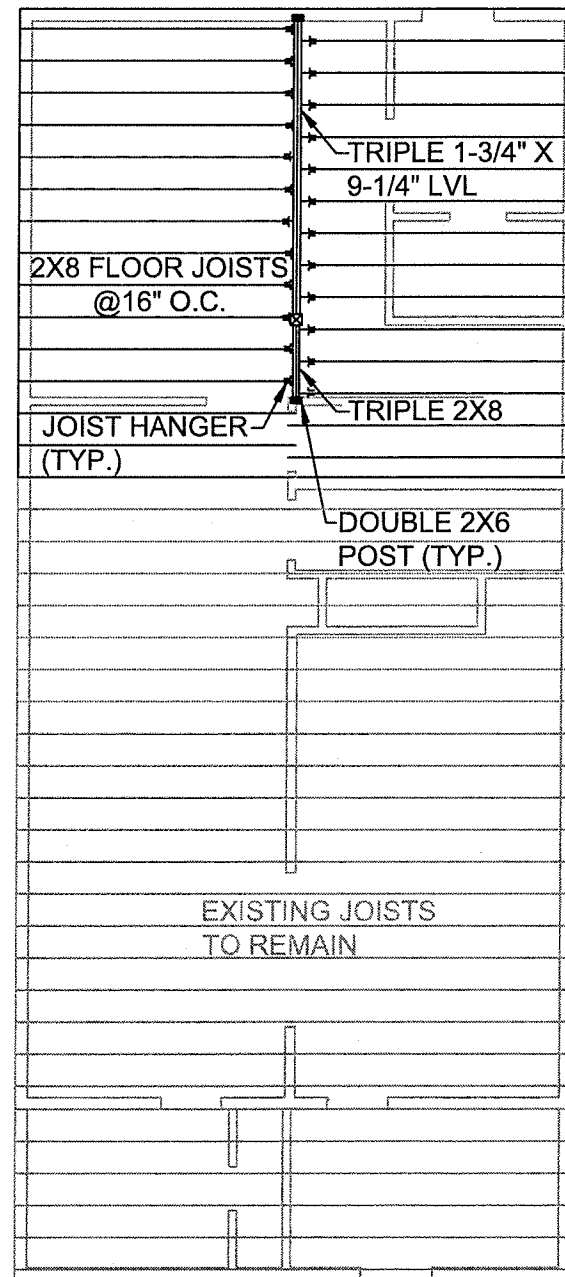
- ☐ H HEAT DETECTOR
- ☐ SD PHOTOELECTRIC SMOKE DETECTOR
- ☐ CO CO DETECTOR
- ☐ CSC COMBINATION DETECTOR

KNEELAND CONSTRUCTION CORPORATION 407R MYSTIC AVE SUITE 34B MEDFORD, MA P: (781) 393-9899 F: (781) 393-0601	REVISION	DATE	TITLE	
	1	09/13/2021	CO #2 & 3	
CHECKED BY: COD		DRAWN BY: EI		SCALE: AS NOTED
CIPAR RESIDENCE	TITLE ARCHITECTURAL PLANS		DATE: 07/08/2021	
44 EDMUND ROAD			SHEET NO.	
ARLINGTON, MA			A-04	



PROPOSED FIRST FLOOR FRAMING PLAN
SCALE: 1/8"=1'-0"

EXTERIOR PLYWOOD SHEATHING TO ACT AS CONTINUOUS BRACING
METHOD PER IRC 2018 R602.10 METHOD CS-WSP.
END CONDITIONS TO BE PROVIDED PER FIGURE R602.10.7. NAILING
SHALL BE 8D COMMON 2.5", SPACING TO BE 6" O.C. AT EDGES AND 12" FIELD.



PROPOSED SECOND FLOOR FRAMING PLAN
SCALE: 1/8"=1'-0"

WINDOW SCHEDULE
ANDERSON

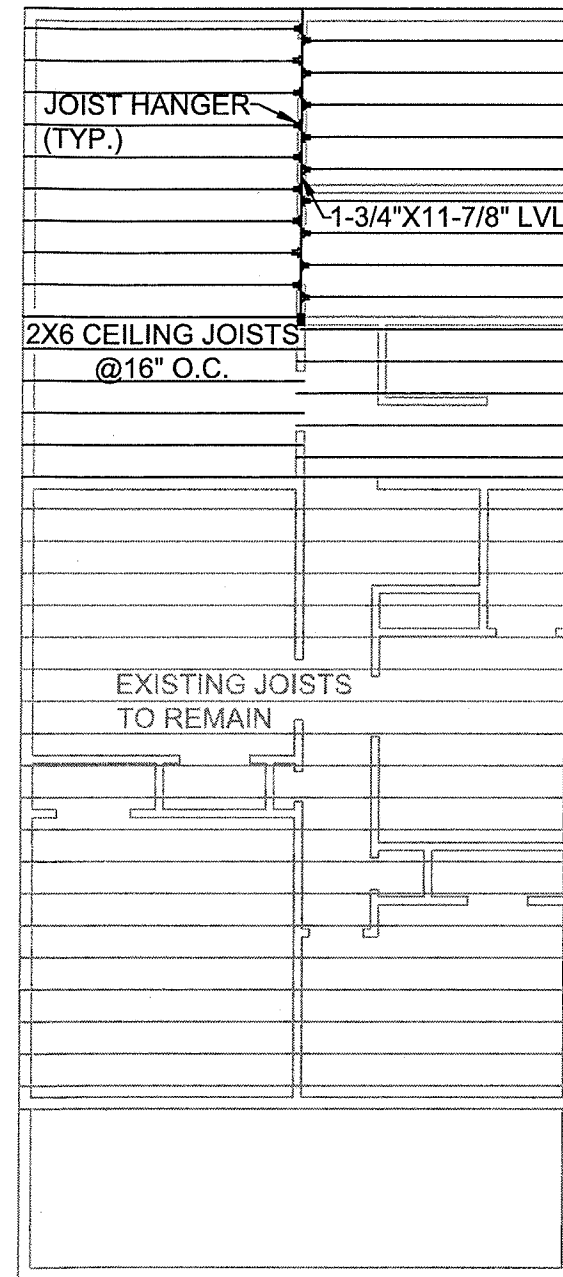
TW18210: RO 1'-10-1/8" X 3'-7/8"
TW20310: RO 2'-2-1/8" X 4'-7/8"
TW2442: RO 2'-6-1/8" X 4'-4-7/8"
TW24310: RO 2'-6-1/8" X 4'-7/8"

WINDOW SCHEDULE
HARVEY

DTR2810: RO 1'-1/2" X 2'-10"

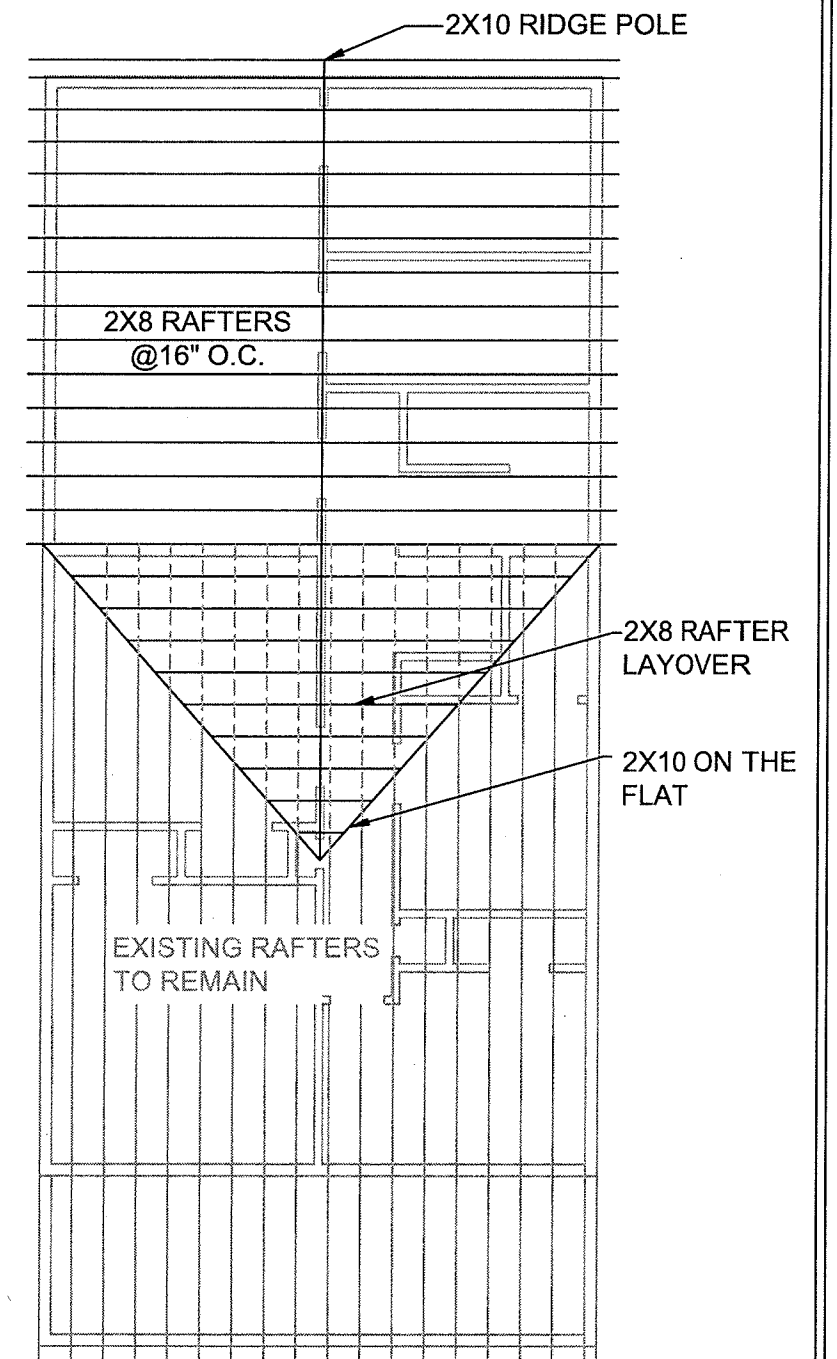
LEGEND

— PROPOSED
— EXISTING
--- DEMO



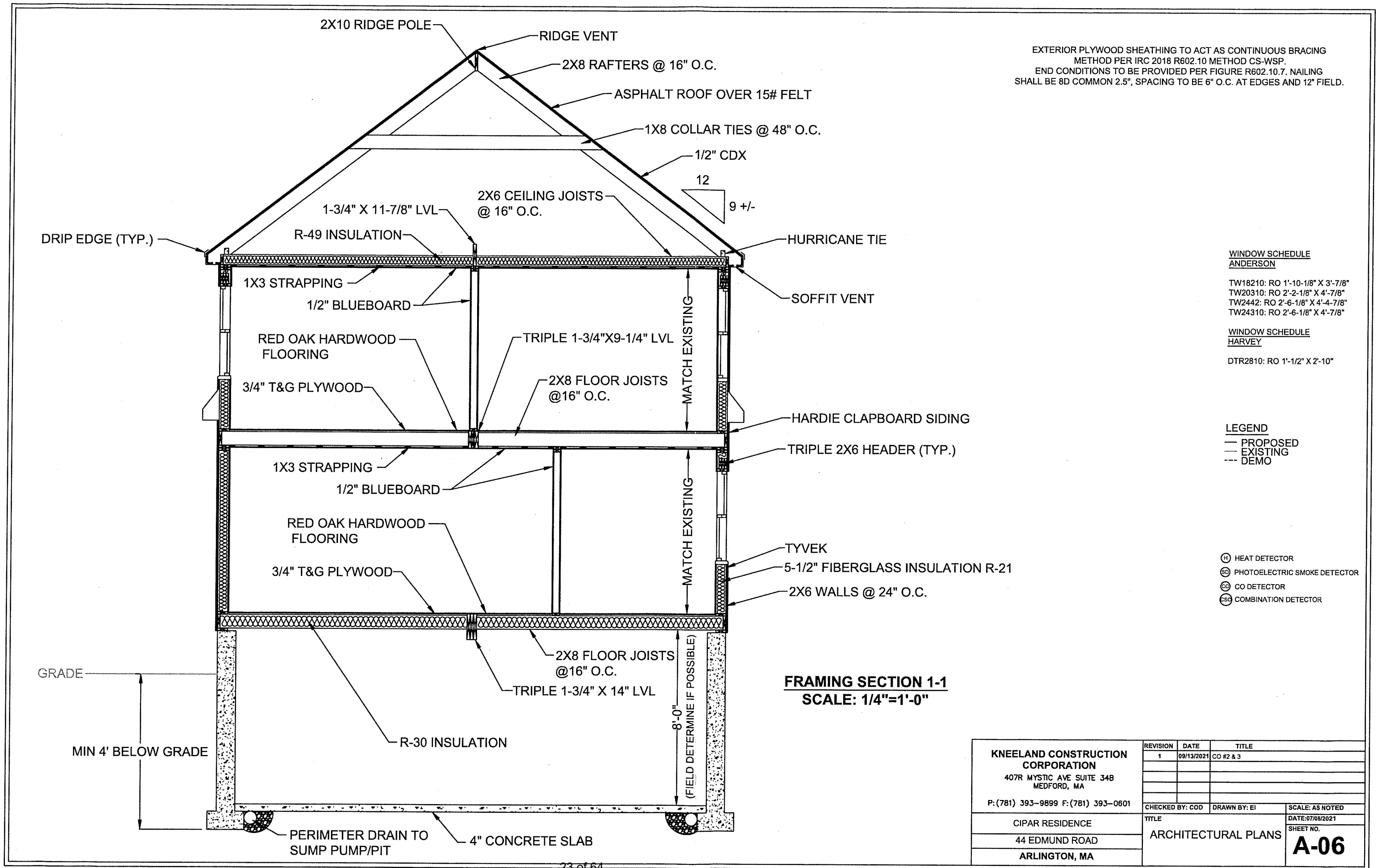
PROPOSED SECOND FLOOR CEILING FRAMING PLAN
SCALE: 1/8"=1'-0"

Ⓜ HEAT DETECTOR
Ⓢ PHOTOELECTRIC SMOKE DETECTOR
Ⓢ CO DETECTOR
Ⓢ COMBINATION DETECTOR



PROPOSED RAFTER FRAMING PLAN
SCALE: 1/8"=1'-0"

KNEELAND CONSTRUCTION CORPORATION 407R MYSTIC AVE SUITE 34B MEDFORD, MA P: (781) 393-9899 F: (781) 393-0601	REVISION	DATE	TITLE
	1	09/13/2021	CO #2 & 3
CIPAR RESIDENCE 44 EDMUND ROAD ARLINGTON, MA	CHECKED BY: COD	DRAWN BY: EI	SCALE: AS NOTED
	TITLE		DATE: 07/08/2021
	ARCHITECTURAL PLANS		SHEET NO. A-05



KNEELAND CONSTRUCTION CORPORATION			REVISION	DATE	TITLE
407R MYSTIC AVE SUITE 34B MEDFORD, MA			1	09/13/2021	CO #2 & 3
P: (781) 393-9899 F: (781) 393-0601					
CIPAR RESIDENCE			CHECKED BY: COD		DRAWN BY: EI
44 EDMUND ROAD			TITLE		SCALE: AS NOTED
ARLINGTON, MA			ARCHITECTURAL PLANS		DATE: 07/08/2021
					SHEET NO.
					A-06



Town of Arlington, Massachusetts

Docket # 3698 : 39 Tufts Street

ATTACHMENTS:

Type	File Name	Description
<input type="checkbox"/> Reference Material	ZBA_Package__39_Tufts_Street.pdf	ZBA Package, 39 Tufts Street



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Zachary Heath Trustees and KRS Contracting** of Winchester, Massachusetts on April 11, 2022, a petition seeking permission to alter their property located at **39 Tufts Street- Block Plan 029.0-0004.0022.10007.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening May 24, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtIBP9)

[upqDlrH9BzpU_mQMF2y5Ys20gtIBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtIBP9) **for documentation relating to this petition, visit the ZBA website at www.arlingtonma.gov/zba.**

DOCKET NO 3698

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Zachary Heath Trustees and KRS Contracting
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

The applicant proposes to renovate the existing two (2) unit residence, located at 39 Tufts Street, in accordance with the proposed construction plans, dated 1-10-22. The proposed project consists of 1) rebuilding the existing 2-story sun-room to provide safer entries and a new code compliant basement stair and 2) new dormers and roof to improve the existing attic bedroom and stair.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 39 Tufts Street, Arlington Ma with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The applicant seeks relief from Section 5.4.2. Dimensional and Density Requirements with regards to Usable Open Space.

E-Mail: karl@krs-contracting.com Signed: _____ Date: 03/14/2022
Telephone: 617-678-6237 Address: Winchester MA, 01890

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

The existing 2-family dwelling is located in an R1 zone. Arlington tax records describe it as a
"Two Family with a Multi-Garden Building built about 1938".
8.1.3. Nonconforming Single-Family or Two-Family Dwellings

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

The proposed project is designed to meet the scale and character of the houses in the Tufts Street
neighborhood.

C). Explain why *the requested use will not create undue traffic congestion; or unduly impair pedestrian safety.*

There are no changes to the existing use or traffic patterns. All changes are within the existing
footprint.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The existing 2-family use will remain the same and there are no additional bedrooms. The total
total lot coverage will remain the same.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

Any special use regulations are fulfilled.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The residential use is consistent with the character of the district, therefore will not be detrimental to the health or welfare. According to Arlington tax records, there are several existing 2-families on Tufts Street.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The proposed dormers and roof line changes are consistent with the character of the neighborhood houses. There will be no additional bedrooms to impact the use of the existing 2-family.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For Applications to the Zoning Board of Appeals

1. Property Location: 39 Tufts Street, Arlington Ma Zoning District: R1
2. Present Use/Occupancy: Residential No. of dwelling units 2
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3716 Sq. Ft.
4. Proposed Use/Occupancy: Residential No. of dwelling units 2
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
4234 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning	
6. Lot size (Sq. Ft.)	5000	unchanged	min.	6000
7. Frontage (Ft.)	50	unchanged	min.	60
8. Floor area ratio	NA	NA	max.	NA
9. Lot Coverage (%)	34	unchanged	max	35
10. Lot Area per Dwelling Unit (Sq. Ft.)	2500	unchanged	min.	NA
11. Front Yard Depth (Ft.)	18.9	unchanged	min.	25
12. Left Side Yard Depth (Ft.)	7.5	unchanged	min.	10
13. Right Side Yard Depth (Ft.)	15.9	unchanged	min.	10
14. Rear Yard Depth (Ft.)	28.9	unchanged	min.	20
15. Height (Stories)	2.5	2.5	max.	2.5
16. Height (Ft.)	+/- 30 FT	34.33 FT	max.	35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	947	947		
17A. Landscaped Open Space (% of GFA)	25	22	min.	10
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	835	835		
18A. Usable Open Space (% of GFA)	22	20	min.	30
19. Number of Parking Spaces	+/- 4	unchanged	min.	2
20. Parking area setbacks (if applicable)	NA	NA	min.	NA
21. Number of Loading Spaces (if applicable)	NA	NA	min.	NA
22. Type of construction	wood frame (V)	wood frame (V)	N/A	
23. Slope of proposed roof(s) (in. per ft.)	NA	8.5 and 4	min.	NA

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 39 Tufts Street, Arlington M Zoning District: R1

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>5000</u>	<u>5000</u>
Open Space, Usable	<u>835</u>	<u>835</u>
Open Space, Landscaped	<u>947</u>	<u>947</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	<u> </u>	<u> </u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>950</u>	<u>1059</u>
1 st Floor	<u>1259</u>	<u>1259</u>
2 nd Floor	<u>1279</u>	<u>1279</u>
3 rd Floor	<u> </u>	<u> </u>
4 th Floor	<u> </u>	<u> </u>
5 th Floor	<u> </u>	<u> </u>
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)	<u>228</u>	<u>637</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u> </u>	<u> </u>
All weather habitable porches and balconies	<u> </u>	<u> </u>
Total Gross Floor Area (GFA)	<u>3716</u>	<u>4234</u>

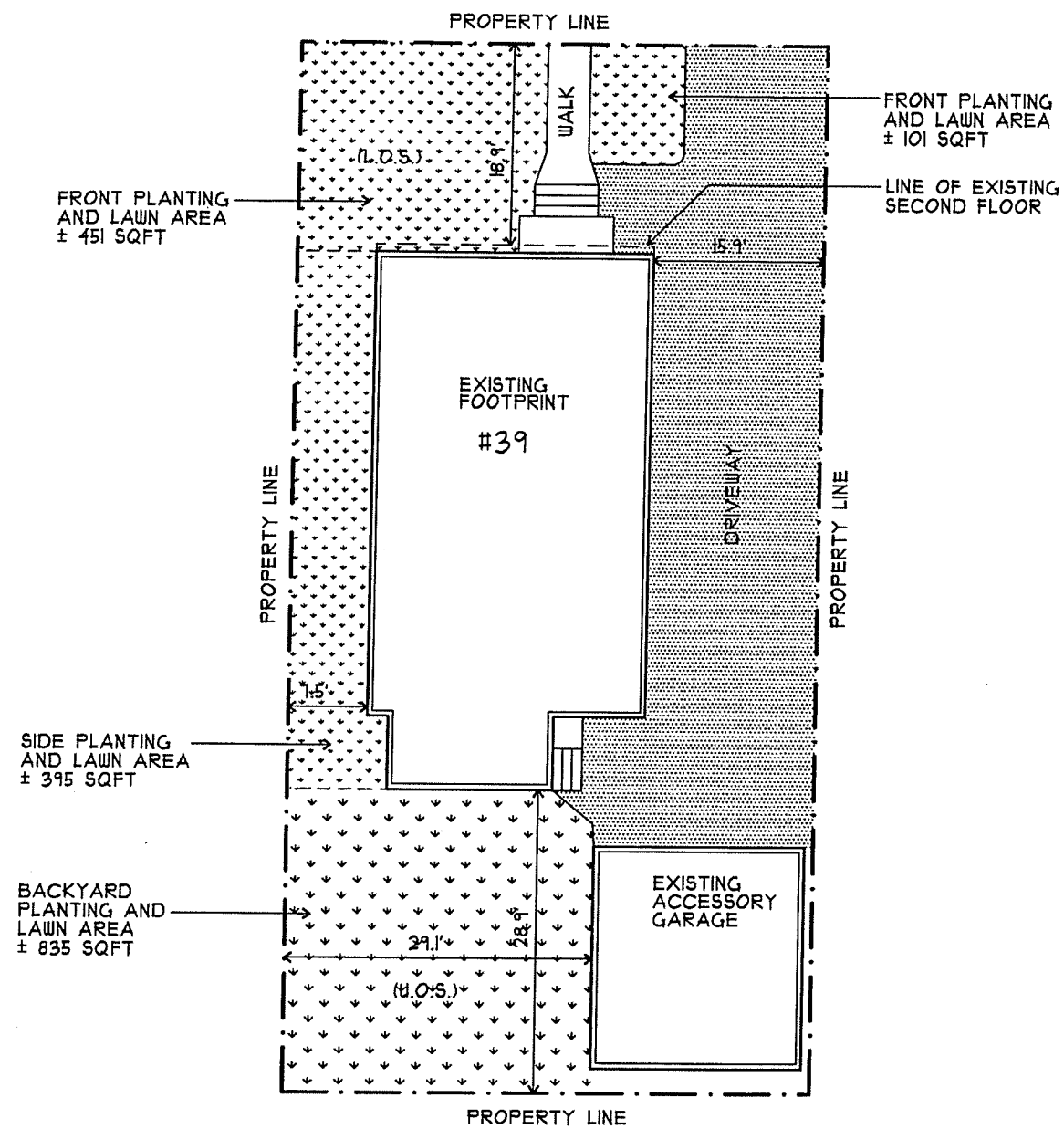
† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)	<u>947</u>	<u>947</u>
Landscaped Open Space (% of GFA)	<u>25</u>	<u>22</u>
Usable Open Space (Sq. Ft.)	<u>835</u>	<u>835</u>
Usable Open Space (% of GFA)	<u>22</u>	<u>20</u>

This worksheet applies to plans dated 01/10/2022 designed by FLH Architects

Reviewed with Building Inspector: Date:



1 SITE PLAN
1.3 1/16"=1'-0"

SITE PLAN COMPILED FROM ARLINGTON GIS MAP AND SITE MEASUREMENTS.

4-13-22

1.3

RENOVATIONS TO 39 TUFTS STREET, ARLINGTON MA

INFORMATION REQUEST V2 | UPDATED

31 of 64

flh ARCHITECTS

15 HIGH STREET, WINCHESTER, MA 617-803-4919

LEVEL	EXISTING	PROPOSED	NOTES
BASEMENT	950	1059	
1ST FLOOR	1259	1259	
2ND FLOOR	1219	1219	
ATTIC	228	631	
TOTAL	3716	4234	

BASEMENT MECHANICAL: UNIT A: 100 SQFT, UNIT B 100 SQFT
EXISTING SUNROON FOUNDATION REPLACED WITH FULL CONCRETE FOUNDATION (CRWAL SPACE) AND FOOTING.

AREA TOTALS

(SQFT)

LANDSCAPE OPEN SPACE
10% REQUIRED
EXISTING REQUIRED: 371 SQFT
EXISTING: 941 SQFT
PROPOSED REQUIRED: 423 SQFT
PROPOSED: 941 SQFT
(PROPOSED DOES NOT INCREASE EXISTING FOOTPRINT)

USEABLE OPEN SPACE
30% REQUIRED
EXISTING REQUIRED: 1115 SQFT
EXISTING: 835 SQFT
PROPOSED REQUIRED: 1270 SQFT
PROPOSED: 835 SQFT

ZONING
THE EXISTING STRUCTURE IS PRE-EXISTING NON-CONFORMING TO FRONT YARD SETBACK AND USEABLE OPEN SPACE. THE LOT IS NON-CONFORMING TO FRONTAGE AND MINIMUM LOT AREA.

8.1.3. NONCONFORMING SINGLE-FAMILY OR TWO-FAMILY DWELLINGS
A. ALTERATION, RECONSTRUCTION, EXTENSION, OR STRUCTURAL
CHANGE TO A SINGLE OR TWO-FAMILY
RESIDENTIAL STRUCTURE THAT IS COMPLETELY WITHIN THE EXISTING
FOUNDATION WALLS DOES NOT
INCREASE THE NONCONFORMING NATURE OF SAID STRUCTURE.

SITE PLAN COMPILED FROM ARLINGTON GIS MAP AND SITE MEASUREMENTS.

OPEN SPACE

HOUSE & PORCH (1278 S.F.+ GARAGE 425 S.F. +
1294 S.F. DRIVE)=2997 S.F. 2997/5000 =0.6
1-.60x100%= 40% OPEN SPACE

OWNER OF RECORD

ZACHARY HEATH
BRUCE OHANIAN
L.C BOOK 1380 PAGE 64 M.S.R.D.

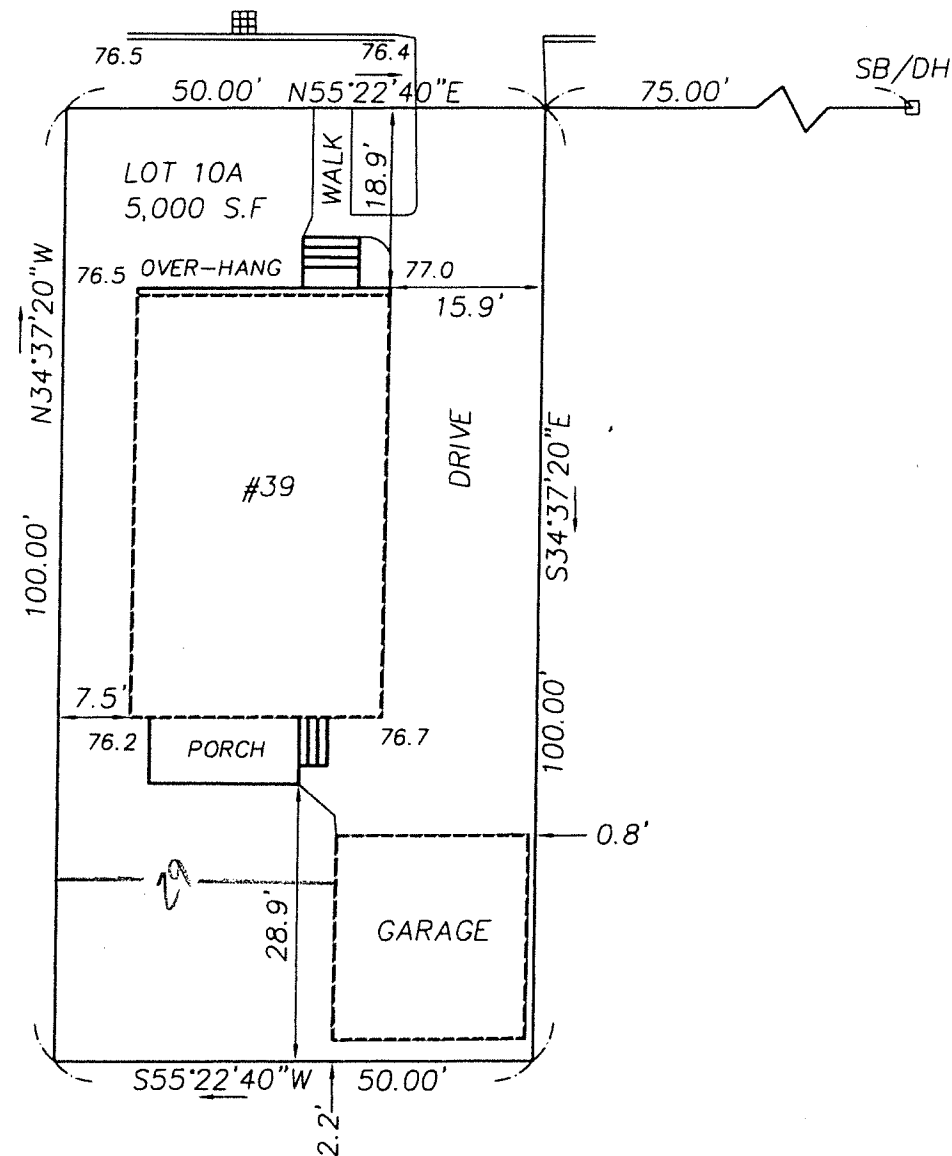
ZONING DISTRICT

TAX MAP 29 BLOCK 4 LOT 22
R1 RESIDENCE

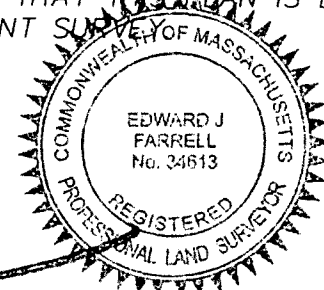
PLAN REFERENCES

L.C PLAN # 9264C

TUFTS STREET



I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN
ACTUAL INSTRUMENT SURVEY



EDWARD J. FARRELL P.L.S.

4-11-22
DATE

RECEIVED

APR 11 2022

INSPECTIONAL
SERVICES

PLOT PLAN
39 TUFTS STREET
ARLINGTON, MASS.

SCALE: 1" = 20' APRIL 10, 2022

Prepared By

EDWARD J. FARRELL

PROFESSIONAL LAND SURVEYOR

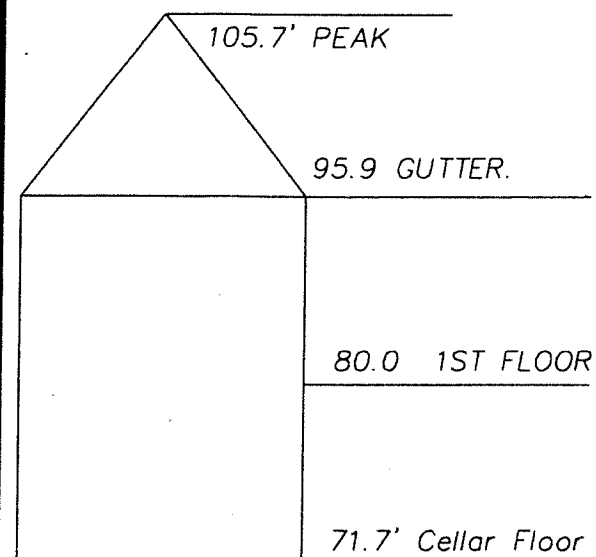
110 WINN STREET ~ SUITE 203 ~ WOBURN, MA.

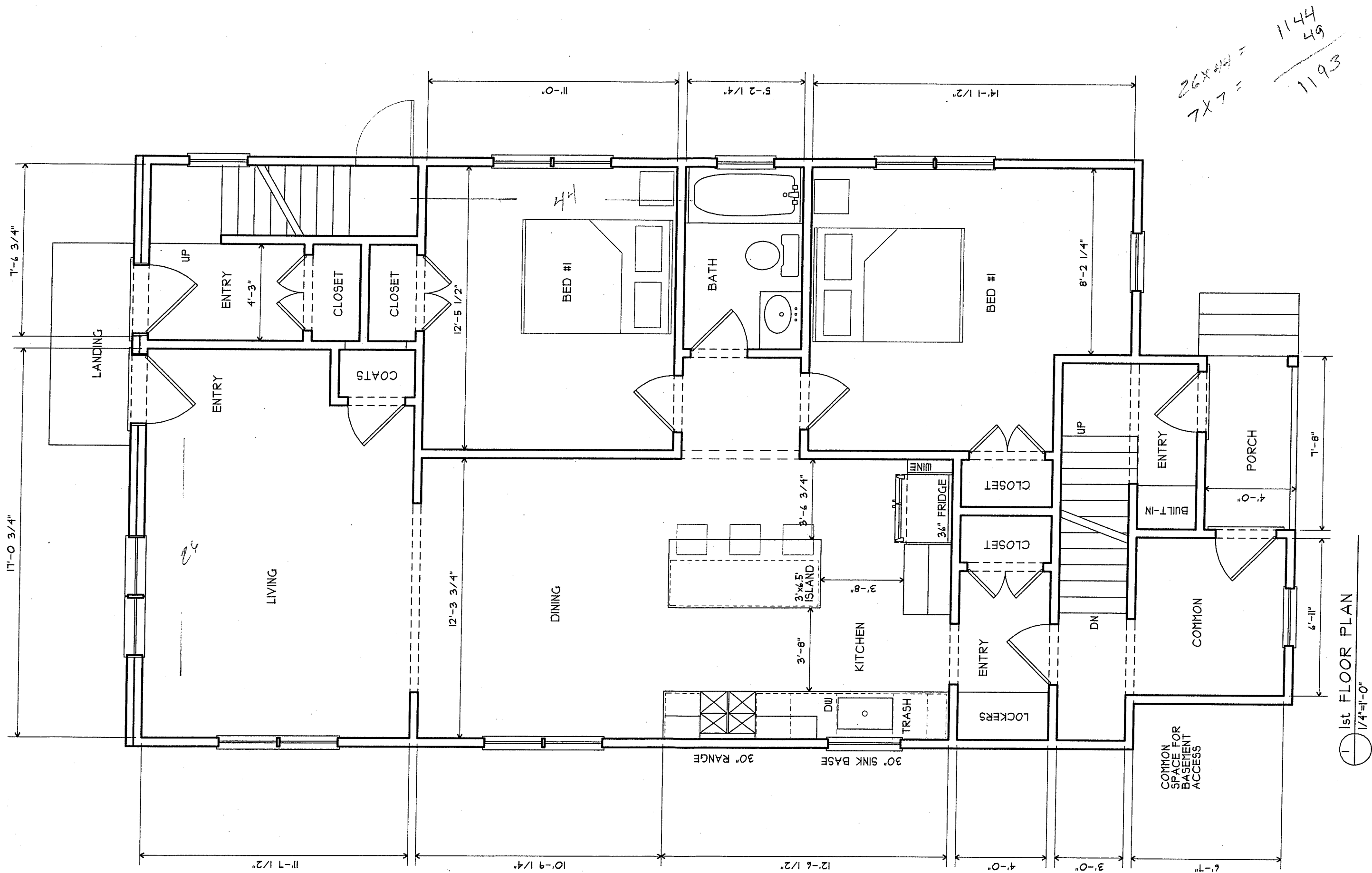
(781)-933-9012

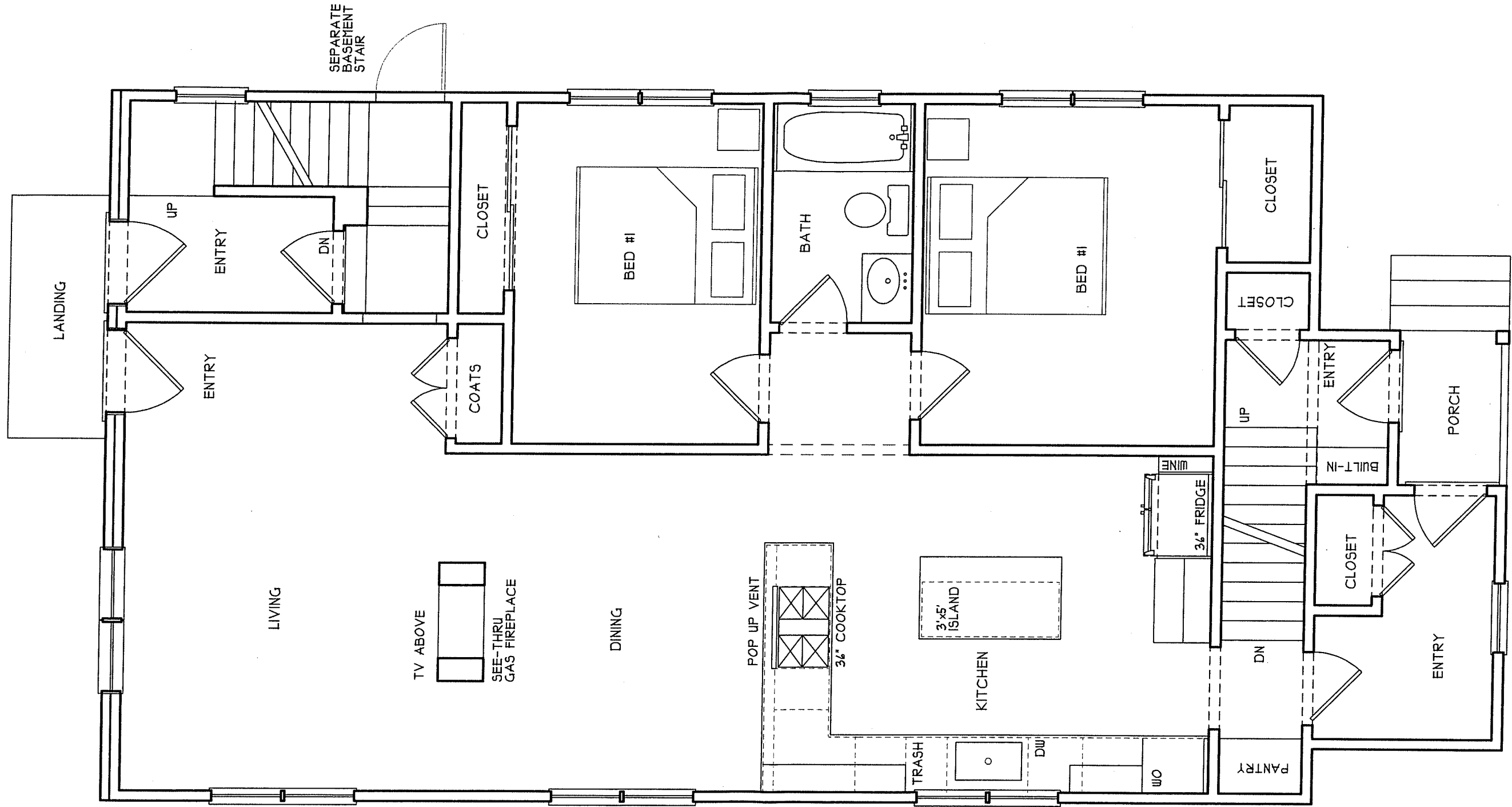
ELEVATIONS BASED ON ASSUMED DATUM.

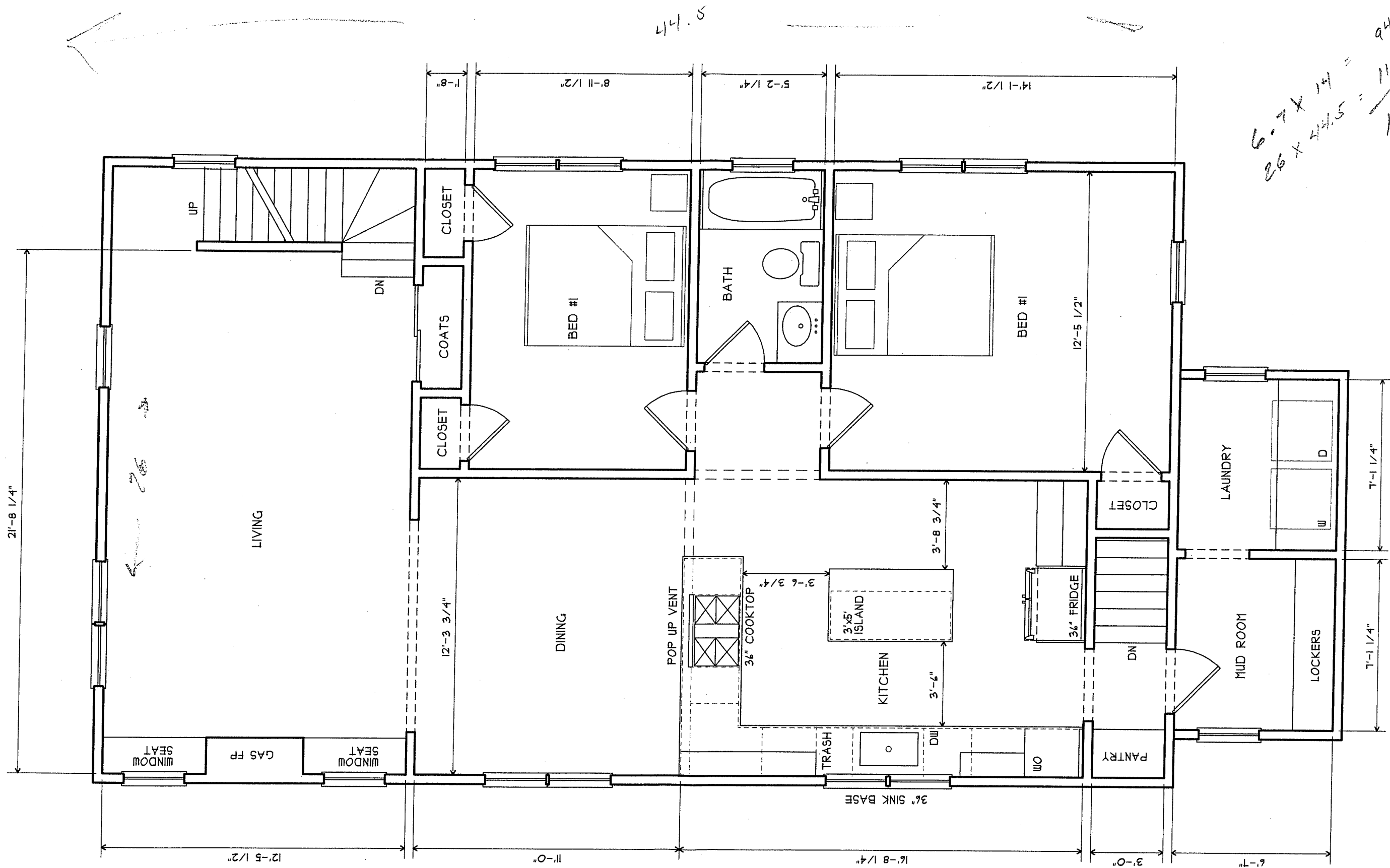
DETAIL NO SCALE

29x28.9 = 838.1
Needs 921'

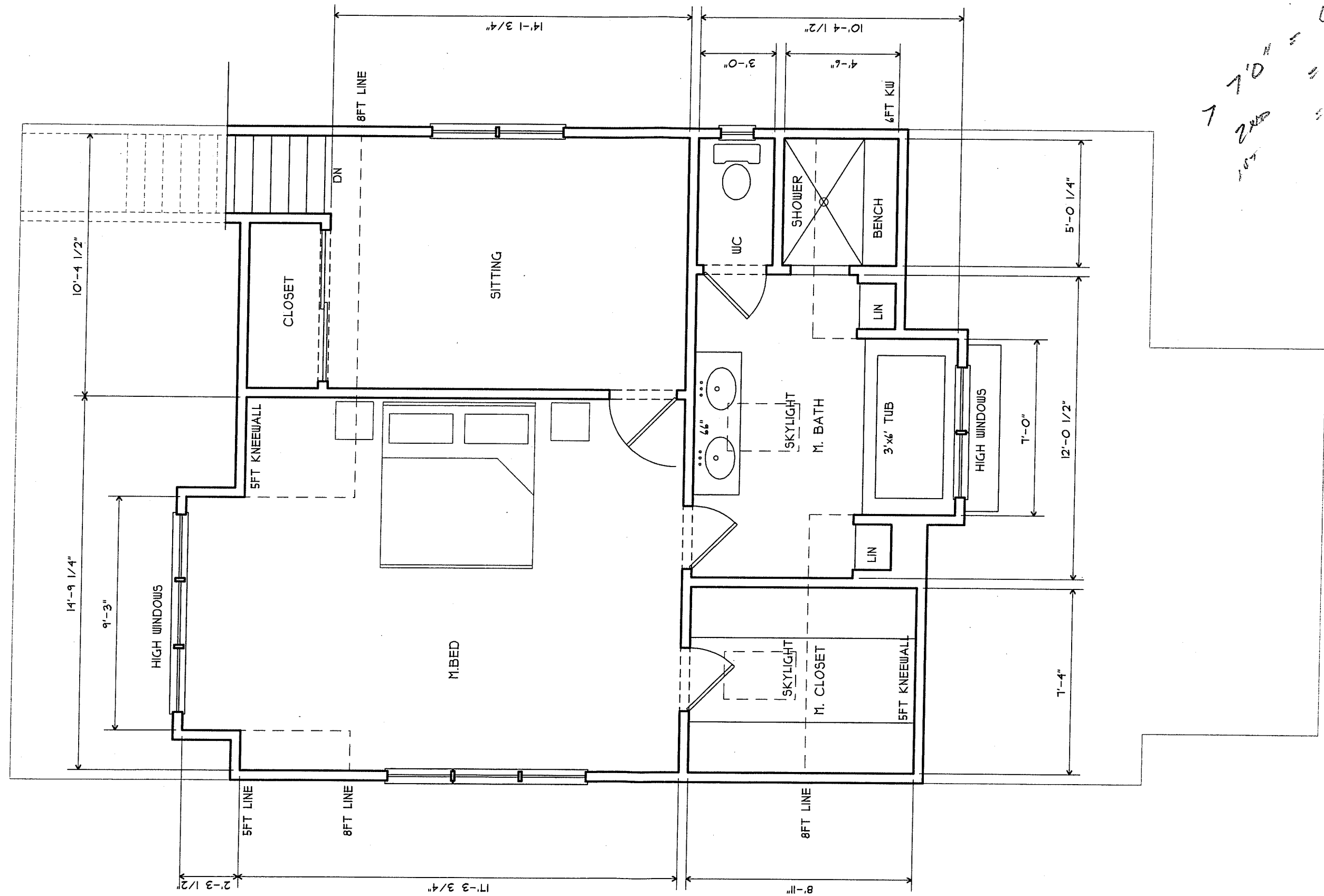








3 2ND FLOOR PLAN
1/4"=1'-0"


$$\begin{array}{r} 7 \text{ } 7'0'' = 626 \\ 200 \\ 100 \\ \hline 3670 \\ 921 \end{array}$$

4 ATTIC FLOOR PLAN
1/4" = 1' - 0"

39 TUFTS ST SDI
FLH ARCHITECTS
10-28-21




 EAST ELEVATION
 1/4"=1'-0"




 WEST ELEVATION
 1/4"=1'-0"



○ SOUTH ELEVATION
1/4"=1'-0"



○ NORTH ELEVATION
1/4"=1'-0"



Town of Arlington, Massachusetts

Docket # 3696 : 82 Grandview Road

ATTACHMENTS:

Type	File Name	Description
<input type="checkbox"/> Reference Material	ZBA_Package__82_Grandview_Road.pdf	ZBA Package, 82 Grandview Road



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

TOWN CLERK'S OFFICE
ARLINGTON, MA 02174

2022 APR 22 AM 10:42

RECEIVED

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Chad Mikkelsen** of Arlington, Massachusetts on April 4, 2022, a petition seeking permission to alter his property located at **82 Grandview Road- Block Plan 152.0-0008-00040** Said petition would require a Special Permit under **Section 5.39 (A)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening May 24, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9)

[upqDlrH9BzpU_mQMF2y5Ys20gtlBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9) **for documentation relating to this petition, visit the ZBA website at www.arlington.gov/zba.**

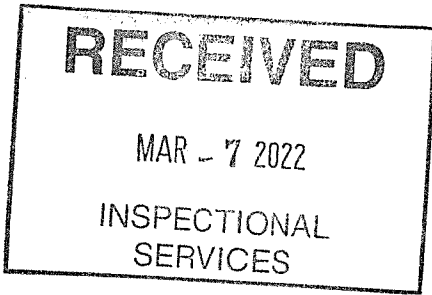
DOCKET NO 3696

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON



In the matter of the Application of 82 Grandview Road - Covered Front Porch
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Section 5.3.9.A - The proposed covered front porch exceeds 25 SF and projects more than 3 1/2 ft
beyond the line of the foundation wall into the minimum front yard required in the R-1 district in
which it is located. The section of the Zoning Bylaw referenced above allows for the proposed
porch by the granting of a Special Permit.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 82 Grandview Road with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The new covered porch will allow for weather protection at the front entry, improving convenience
and safety of the owner's entrance into their home. It also adds a human scale to the front of the home
and improves the aesthetics of the structure.

Katemi Kketbone
E-Mail: yahoo.com Signed: [Signature] Date: 2/23/22
Telephone: 781-820-9559 Address: 82 Grandview Road, Arlington MA

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

The requested use is permitted in the R-1 Zoning District through the granting of a Special Permit.
Section 5.3.9.A of the Town of Arlington Zoning Bylaw

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

The proposed porch would improve the convenience and safety of the entrance into the home.

C). Explain why *the requested use will not create undue traffic congestion; or unduly impair pedestrian safety.*

The proposed porch does not change the volume or nature of traffic to the home and therefore does
not represent any increase in congestion or impairment of pedestrian safety.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

While the covered porch does add to the lot coverage somewhat, it does not unduly impact any
municipal systems as all water will be collected and handled on site.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

The proposed porch will not result in the need for any special regulations.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

Covered entries are a common feature of structures in the immediate neighborhood, and many of said entries are closer to the front lot line than the required front yard setback. The addition of this porch will improve the streetscape by adding a human scale to the front of the home.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The proposal would not cause any detrimental excesses as it is intended for use by the owner's family and friends only.

To: Zoning Board of Appeals, Town of Arlington
From: Dana Ozik, Architect
Re: Proposed Covered Front Porch Addition at 82 Grandview Road, Arlington

My clients, Chad and Kate Mikkelsen, are seeking a Special Permit in accordance with Section 5.3.9 – Projection into Minimum Yards. They are hoping to construct and addition of a front porch, extending a little over half the full width of their existing home, to provide weather protection at their front entry, as well as a comfortable place to sit and congregate with family and friends during summer months. The proposed covered entry is approximately 160 square feet, and exceeds the maximum allowed without a Special Permit. Other than reducing the front yard setback from 29.2 feet to 20.7 feet, the proposed addition does not adversely impact any of the other dimensional criteria set forth by the Zoning Bylaw.

Please see the attached Application for Special Permit for how the proposed porch meets the Special Permit criteria as set out in Zoning Bylaw Section 3.3.3.

Below are some photos showing the existing conditions of the home and neighborhood:





Note that the proposed porch will be adding to the integrity and character of the district by adding visual interest and activity to the front facade of the home, add a human scaled architectural volume to the streetscape, and reduce the appearance of the main existing home as recommended by the principles set forth in Arlington's Residential Design Guidelines, published in December of 2020. With this in mind, we hope that you will grant this Special Permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana Ozik".

Dana Ozik
Owner, Dana Ozik Architecture

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 82 Grandview Road Zoning District: R-1

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area		
Open Space, Usable		
Open Space, Landscaped		

Not applicable for open porch with roof as it does not count toward Gross Floor Area per Zoning Bylaw Section 5.3.22.B (5)

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building		
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)		
1 st Floor		
2 nd Floor		
3 rd Floor		
4 th Floor		
5 th Floor		
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)		
Parking garages (except as used for accessory parking or off-street loading purposes)		
All weather habitable porches and balconies		
Total Gross Floor Area (GFA)		

Not applicable for open porch with roof as it does not count toward Gross Floor Area per Zoning Bylaw Section 5.3.22.B (5)

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)		
Landscaped Open Space (% of GFA)		
Usable Open Space (Sq. Ft.)		
Usable Open Space (% of GFA)		

Not applicable for open porch with roof as it does not count toward Gross Floor Area per Zoning Bylaw Section 5.3.22.B (5)

This worksheet applies to plans dated 08/31/2021 designed by Dana Ozik Architecture

Reviewed with Building Inspector: _____ Date: _____

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 82 Grandview Road Zoning District: R-1

2. Present Use/Occupancy: Residential No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
- Sq. Ft.

Not applicable for open porch with roof as it does not count toward Gross Floor Area per Zoning Bylaw Section 5.3.22.B (5)
--

4. Proposed Use/Occupancy: Residential No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):

No Change

 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	6645 SF	no change	min. 6000 SF
7. Frontage (Ft.)	60'	no change	min. 60'
8. Floor area ratio	-	-	max. -
9. Lot Coverage (%)	26.9%	29.7%	max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	-	-	min. -
11. Front Yard Depth (Ft.)	29.2'	20.7'	min. 25'
12. Left Side Yard Depth (Ft.)	8.7'	no change	min. 10'
13. Right Side Yard Depth (Ft.)	10'	no change	min. 10'
14. Rear Yard Depth (Ft.)	21.9'	no change	min. 20'
15. Height (Stories)	2	no change	max. 2.5
16. Height (Ft.)	approx. 26'-8"	no change	max. 35'
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
17A. Landscaped Open Space (% of GFA)			min. 10 %
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
18A. Usable Open Space (% of GFA)			min. 30%
19. Number of Parking Spaces	-	-	min. -
20. Parking area setbacks (if applicable)	-	-	min. -
21. Number of Loading Spaces (if applicable)	-	-	min. -
22. Type of construction	-	-	N/A
23. Slope of proposed roof(s) (in. per ft.)	6"	3" and 6"	min. -

APPROXIMATE NORTH

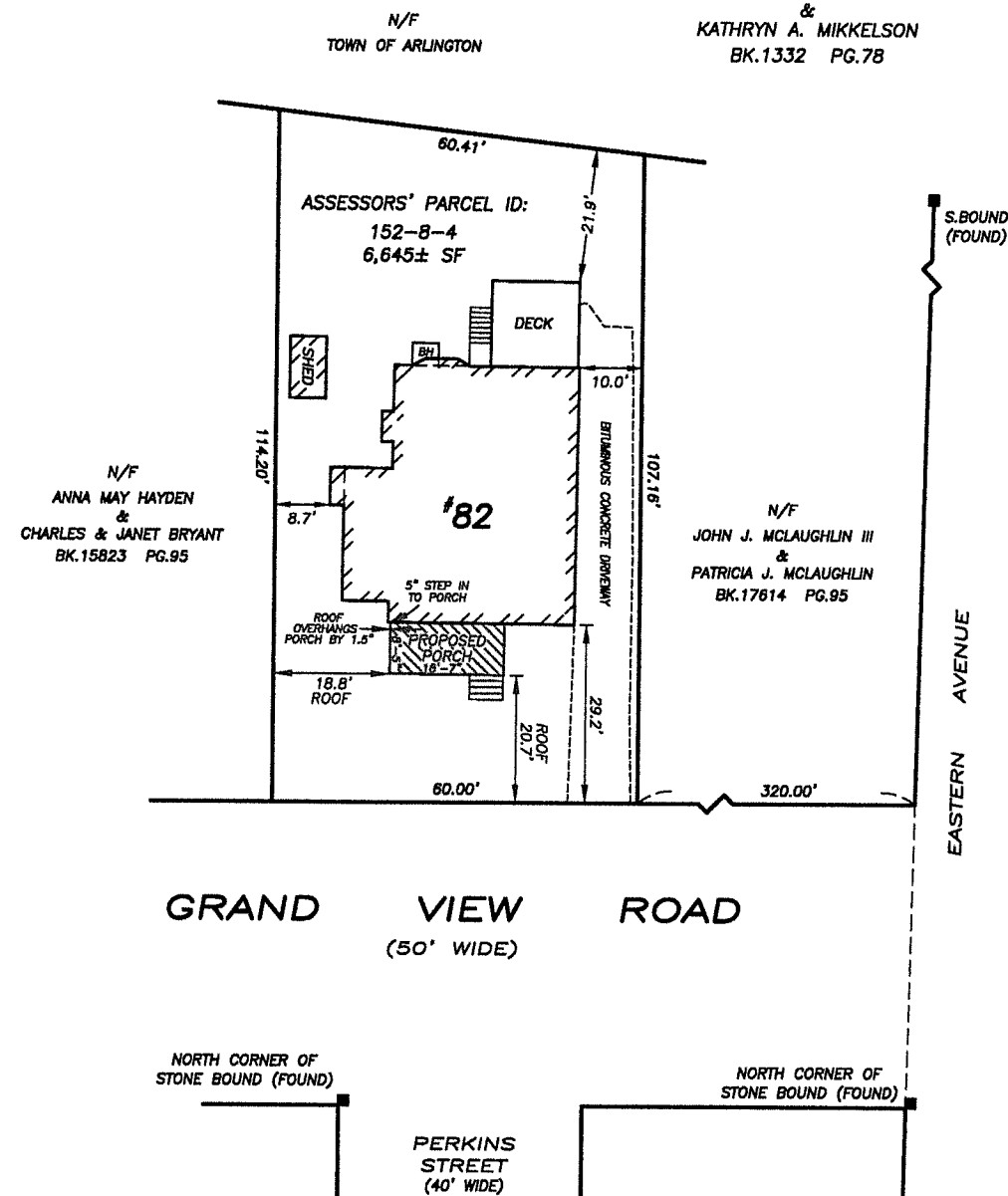
1 INCH = 20 FEET

0 10 20 40 60

PROPOSED SITE PLAN
82 GRAND VIEW ROAD
ARLINGTON, MASSACHUSETTS
1 INCH = 20 FEET FEBRUARY 3, 2022

SNELLING & HAMEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
10 LEWIS STREET P.O. BOX 102
LINCOLN, MASSACHUSETTS 01773
(781) 259-0071

OWNERS OF RECORD:
CHAD MIKKELSON
&
KATHRYN A. MIKKELSON
BK.1332 PG.78



PLAN REFERENCE:
- LAND COURT PLAN 13809-A

I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN
HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF
JANUARY 5, 2022, WITH THE USE OF A TOPCON TOTAL STATION.

John R. Hamel
JOHN R. HAMEL
PROFESSIONAL
LAND SURVEYOR



FEBRUARY 3, 2022
DATE:

16795.DWG
FEBRUARY 3, 2022

1 INCH = 20 FEET

PROPOSED SITE PLAN
82 GRAND VIEW ROAD
ARLINGTON, MASSACHUSETTS
1 INCH = 20 FEET FEBRUARY 3, 2022
SNELLING & HAMEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
10 LEWIS STREET P.O. BOX 102
LINCOLN, MASSACHUSETTS 01773
(781) 259-0071

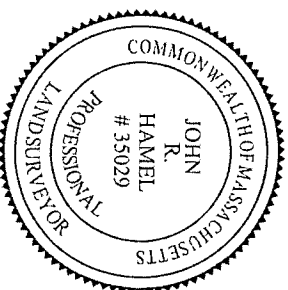
N/F
TOWN OF ARLINGTON

α
KATHRYN A. MIKKELSON
BK.1332 PG.78



John R. Hamel

JOHN R. HAMEL
PROFESSIONAL
LAND SURVEYOR



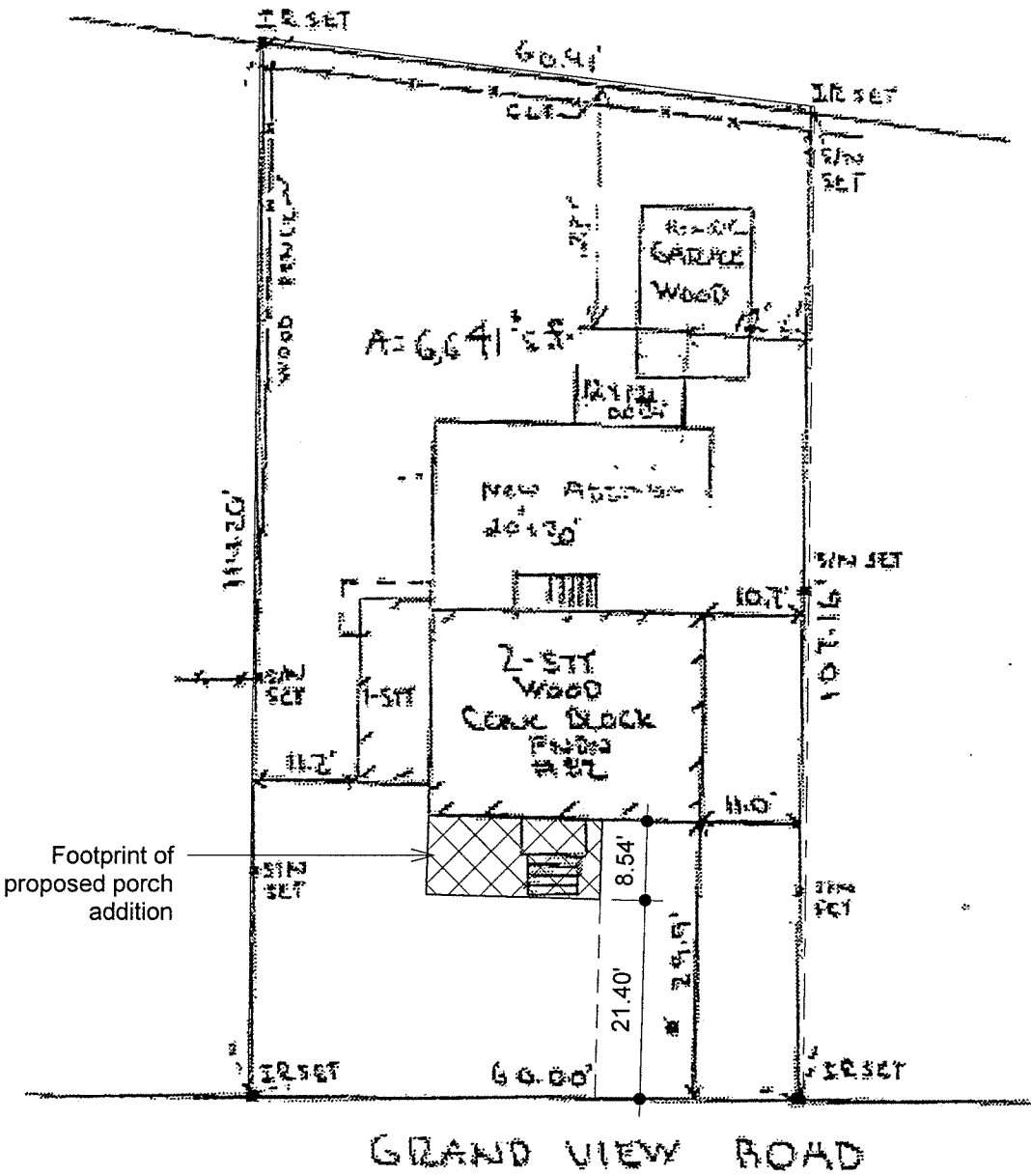
FEBRUARY 3, 2022
DATE:

16795.DWG
FEBRUARY 3, 2022

Sheet List		
Sheet #	Sheet Name	Current Rev.
C01	Cover Page	
C02	General Notes and Symbols	
A01	Architectural Plans	
A05	Sections	
A03	Exterior Elevations	
A07	Details at Interface with Existing Structure	
A02	Ceiling Plan	
A04	Exterior Elevations	
A06	Sections	
A08	Deck Edge Details	
A09	Roof Eave Details	
S01	Structural Plans	
S02	Structural Plans	

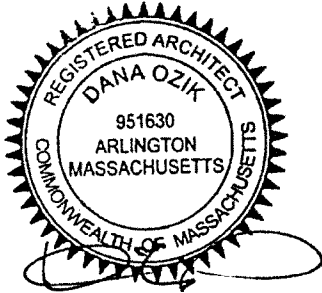


2 View From Grandview Road



NOTE: Survey was created for 1996 rear deck addition.

1 Plot Plan
1" = 20'-0"



No.	Description	Date

DANA OZIK
ARCHITECTURE

28A Park St, Arlington, MA 02474
www.danaozikarchitecture.com

Mikkelson Front Porch Addition

82 Grandview Road, Arlington

Cover Page

Permit Set	
Date	08-31-2021
Drawn by	DO
C01	

GENERAL NOTES

1.

The Contractor shall carefully study the construction documents and at once report to the Architect any error, inconsistency, or omission they may discover. All construction to be per applicable and governing codes and authorities.
2.

Upon approval of construction pricing, the Contractor shall provide the Owner with an estimated schedule for the completion of the work described in the Construction Documents. This schedule shall be updated periodically over the course of construction to reflect any changes due to unforeseen conditions or unavoidable delays.
3.

The Contractor shall maintain in good order at the site: one (1) record copy of all drawings, specifications, addenda, change orders and other modifications. Any changes made during construction shall be marked on these documents to keep an accurate record of work completed.
4.

Contractor shall be responsible for coordinating all construction and design documents supplied by the Architect with any work pertaining to plumbing routing, electrical service requirement, and any other Subcontractor provided components.
5.

The Contractor shall install site protection and dust mitigation measures to minimize the migration of construction dust and debris to the areas of the home that are not included in the scope of work.
6.

Each Contractor and Subcontractor shall be responsible for daily clean up and removal of debris as related to their trade. At the end of the construction period, the Contractor shall leave the area clean.
7.

Contractor shall supervise and direct the work and shall be solely responsible for all construction means, methods, techniques, sequences, and procedures, and shall coordinate all portions of the work.
8.

Contractor shall be responsible to the Owner for the acts and omissions of the Contractor's employees, Subcontractors and their agents and employees, and other persons performing any of the work under the contract with the Contractor.
9.

Contractor at all times shall enforce strict discipline and good order among Contractor's employees and will not employ on the project any unfit person or anyone not skilled in the task assigned to them.
10.

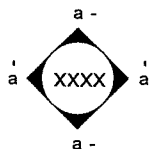
Contractor warrants to the Owner that all equipment and material furnished under this contract will be new unless otherwise specified, and all work will be of good quality, free from faults and defects and in conformance with contract documents, code requirements, and manufacturer's installation requirements. All work not conforming to these requirements, including substitutions not properly approved and authorized, may be considered defective and will be removed and replaced at the Contractor's expense.
11.

Contractor will be presumed to have inspected, read, and thoroughly familiarized themselves with the construction documents. Failure or omission to do so shall in no way relieve the Contractor from any obligation in respect to their work.
12.

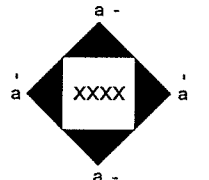
All finishes shall be approved by Owner/Architect for suitability prior to application.
13.

All plans and drawings are drawn to scale as much as possible but are not intended to be and should not be scaled. Contractor to verify all dimensions and conditions and notify the Architect of any discrepancies found prior to undertaking construction activities.

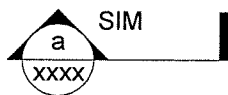
SYMBOLS



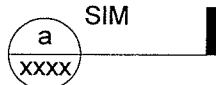
Interior Elevations



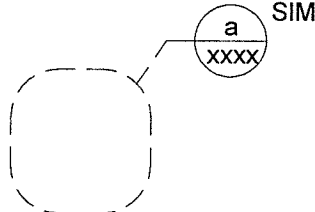
Exterior Elevations



Building Sections




Detail Sections




Floor Plan or Detail Callouts

Note:


In symbols above, 'XXXX' indicates sheet referenced while 'a' indicates drawing number referenced



Level Indicator



Revision Tag



Centerline



No.	Description	Date

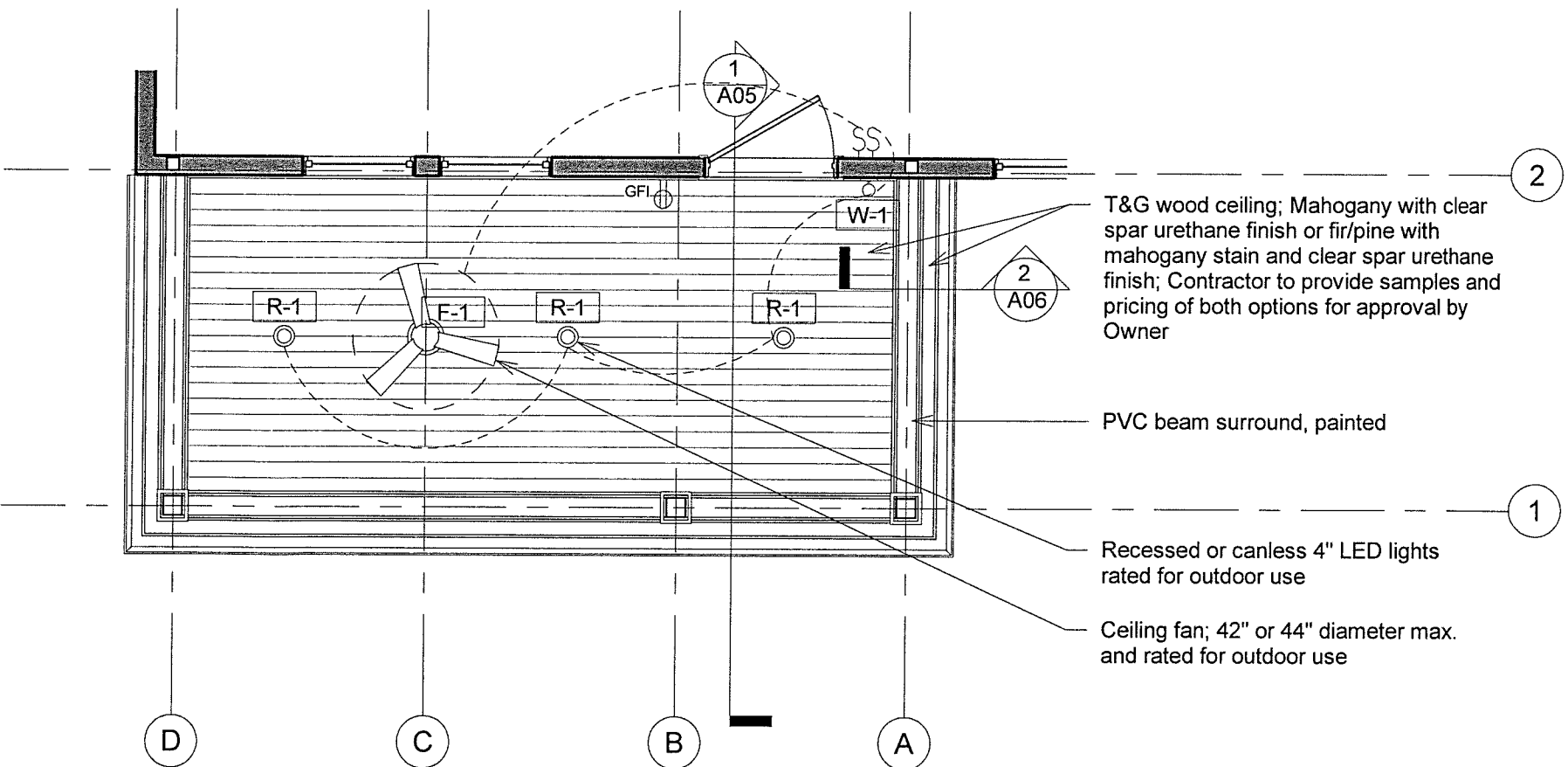
DANA OZIK

ARCHITECTURE

28A Park St, Arlington, MA 02474

www.danaozikarchitecture.com

Mikkelson Front Porch Addition 82 Grandview Road, Arlington	Permit Set
	Date 08-31-2021
	Drawn by DO
General Notes and Symbols	C02



1 Level 1 - Ceiling, Lighting, and Power Plan
1/4" = 1'-0"

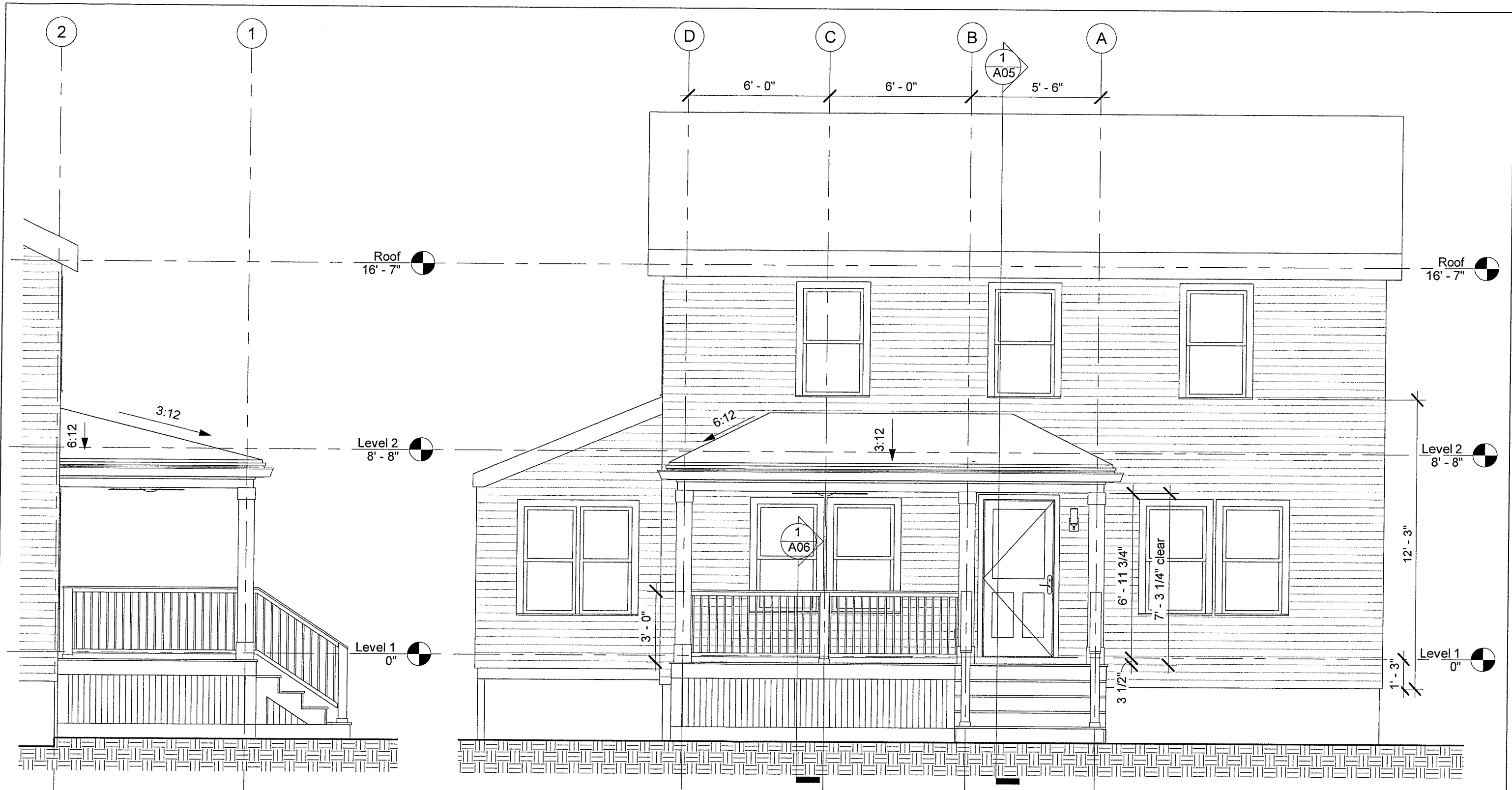


No.	Description	Date

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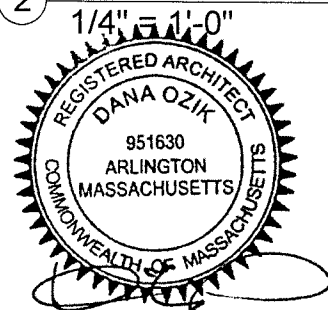
28A Park St, Arlington, MA 02474
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Mikkelson Front Porch Addition 82 Grandview Road, Arlington Ceiling Plan	Permit Set
	Date 08-31-2021
	Drawn by DO
A02	



2 Exterior Elevation - Side

1 Exterior Elevation - Front



No.	Description	Date

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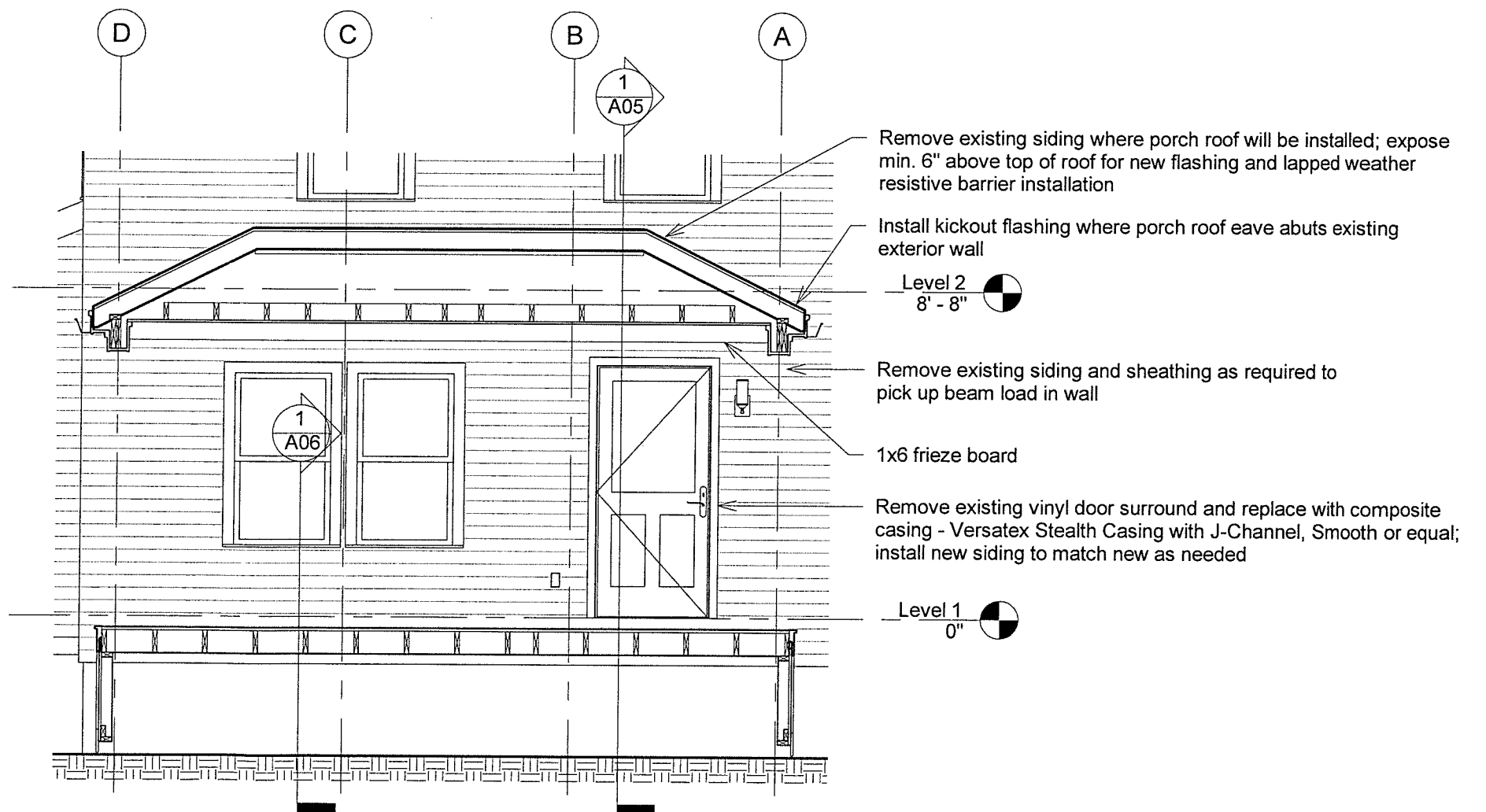
28A Park St, Arlington, MA 02474
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Mikkelson Front Porch Addition

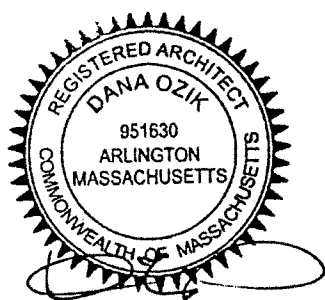
82 Grandview Road, Arlington

Exterior Elevations

Permit Set	
Date	08-31-2021
Drawn by	DO
A03	



1 Exterior Elevation at Existing Exterior Wall
1/4" = 1'-0"



No.	Description	Date

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ARCHITECTURE

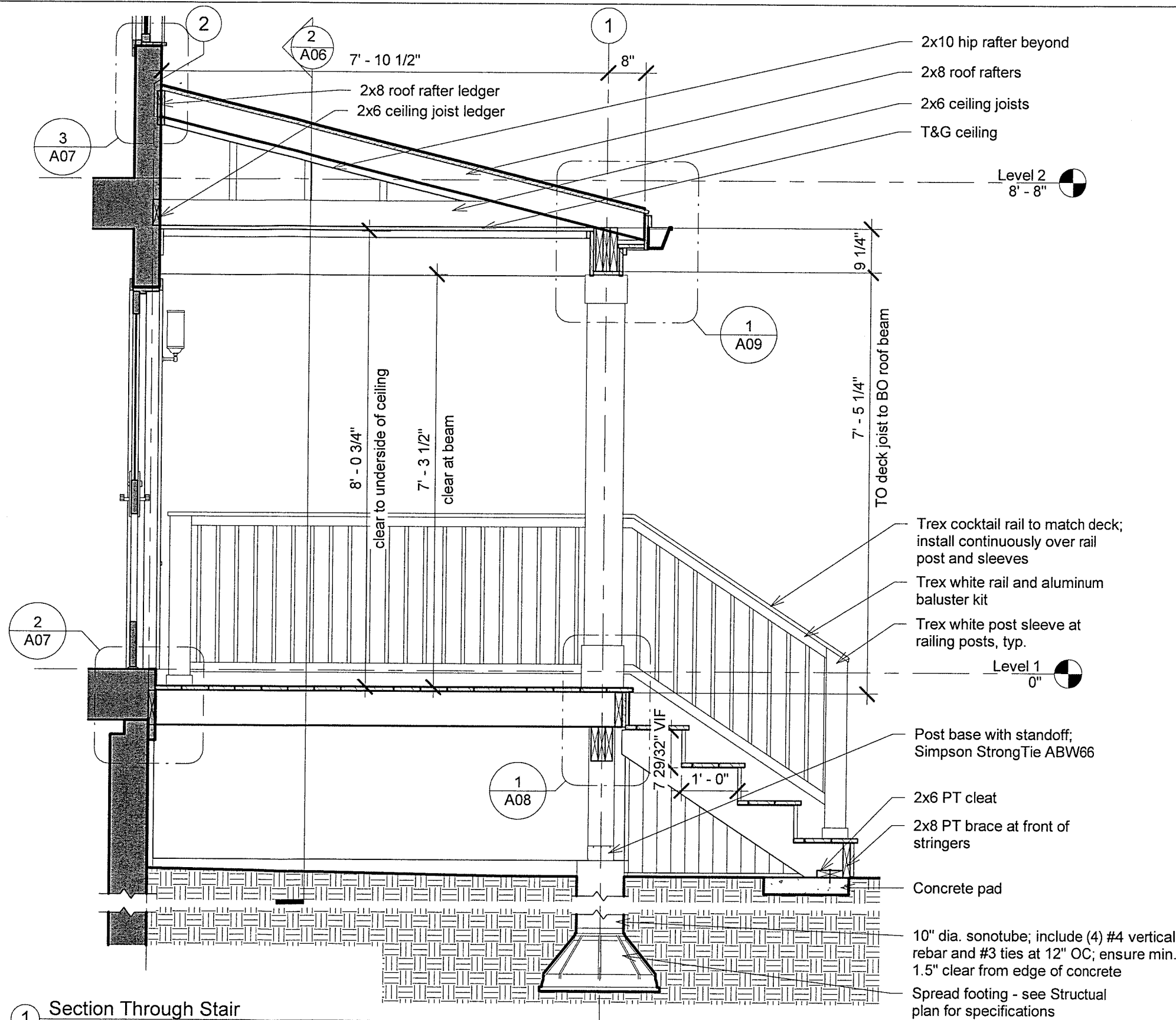
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Mikkelson Front Porch Addition

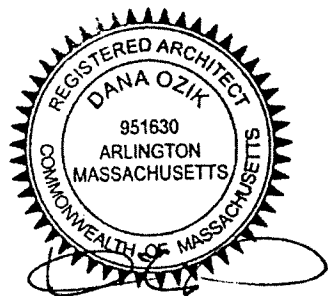
82 Grandview Road, Arlington

Exterior Elevations

Permit Set	
Date	08-31-2021
Drawn by	DO
A04	



1 Section Through Stair
1/2" = 1'-0"



No.	Description	Date

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ARCHITECTURE

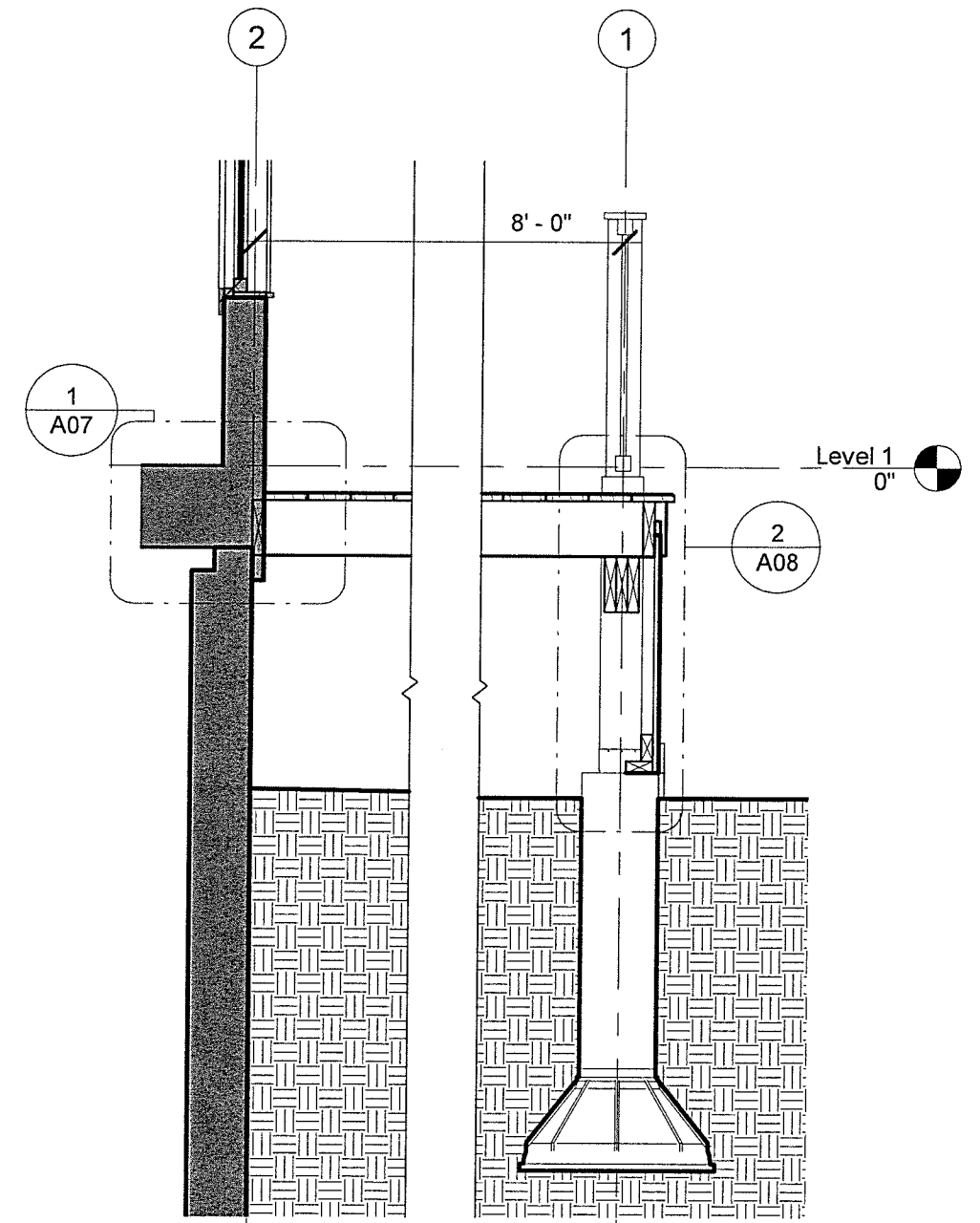
28A Park St, Arlington, MA 02474
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Mikkelson Front Porch Addition

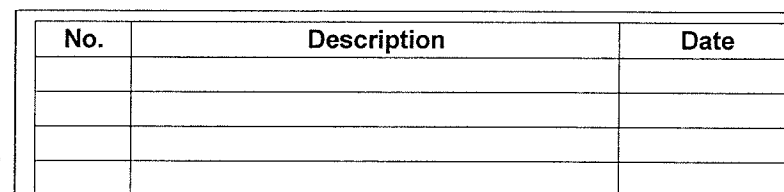
82 Grandview Road, Arlington

Sections

Permit Set	
Date	08-31-2021
Drawn by	DO
A05	



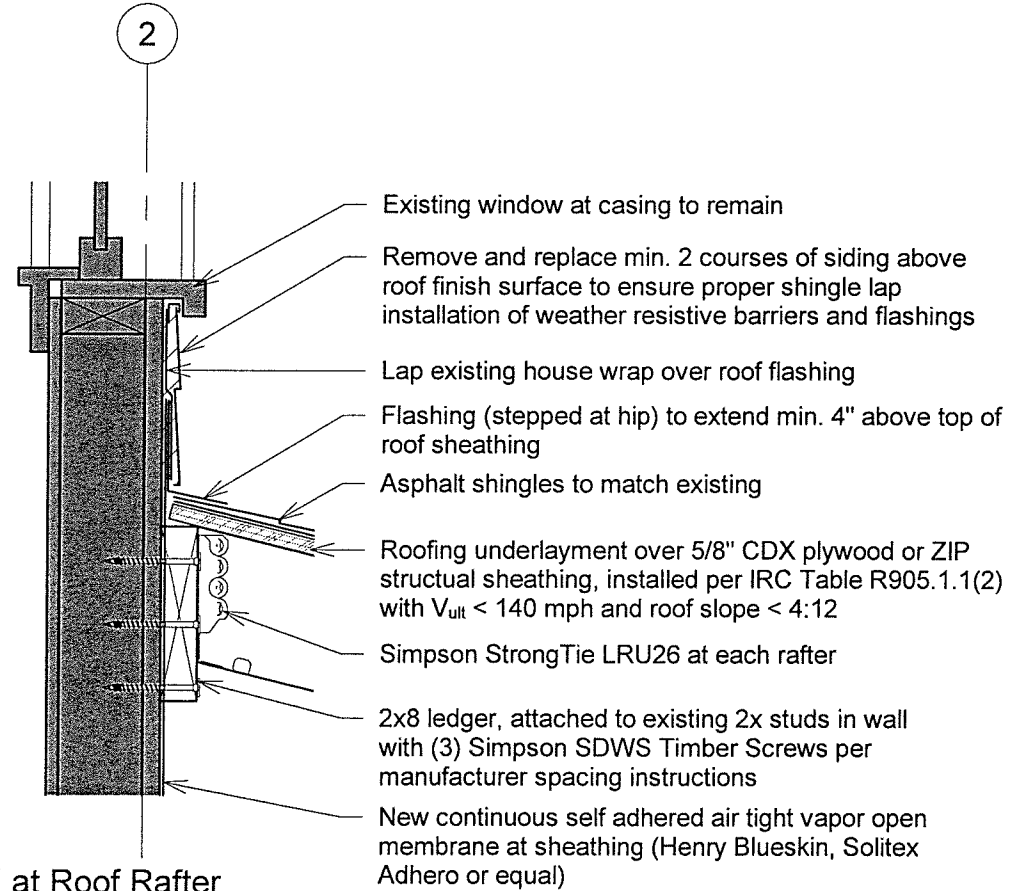
1 Section Through Deck
1/2" = 1'-0"



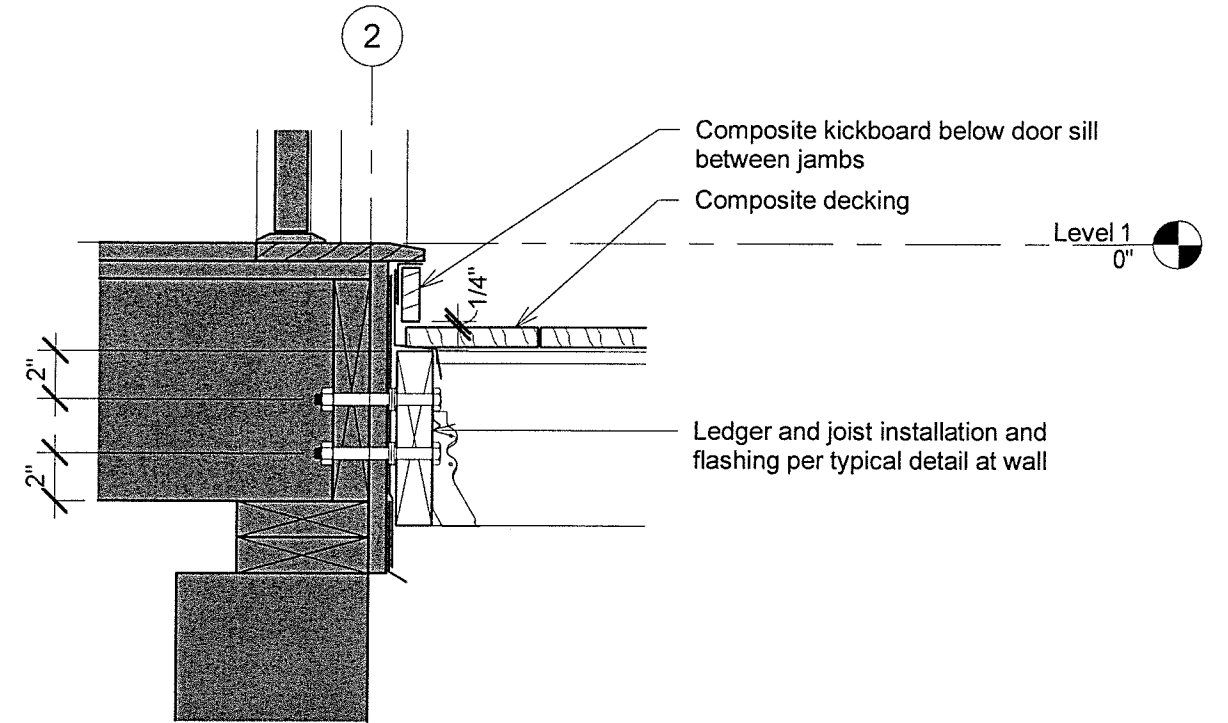
28A Park St, Arlington, MA 02474
www.danraozikarchitecture.com

Sections

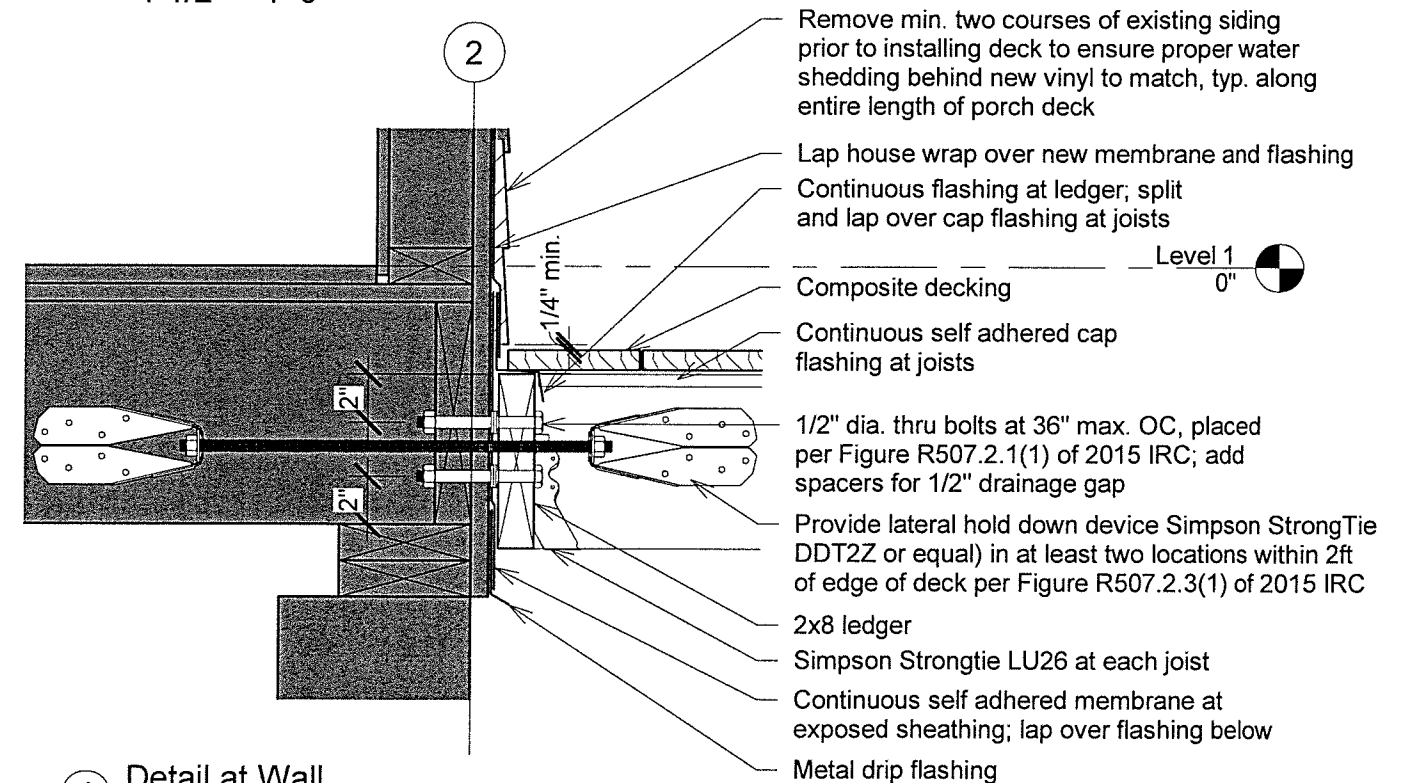
Permit Set	
Date	08-31-2021
Drawn by	DO
A06	



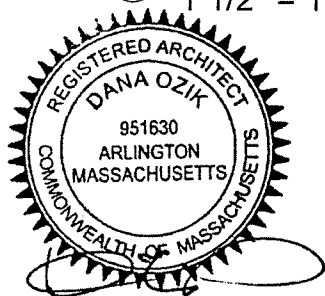
3 Detail at Roof Rafter
1 1/2" = 1'-0"



2 Detail at Door Sill
1 1/2" = 1'-0"



1 Detail at Wall
1 1/2" = 1'-0"



No.	Description	Date

DANA OZIK
ARCHITECTURE

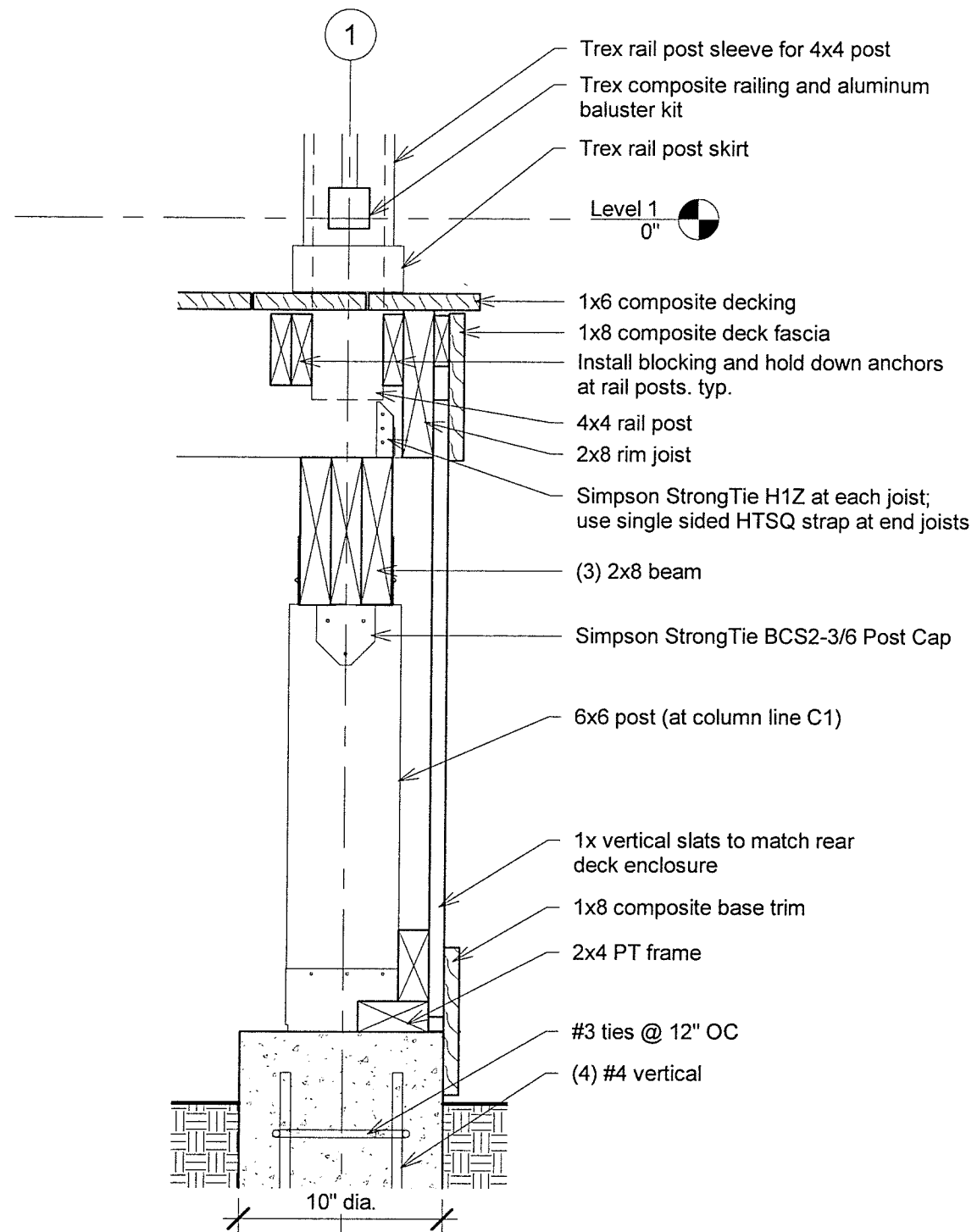
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Mikkelson Front Porch Addition

82 Grandview Road, Arlington

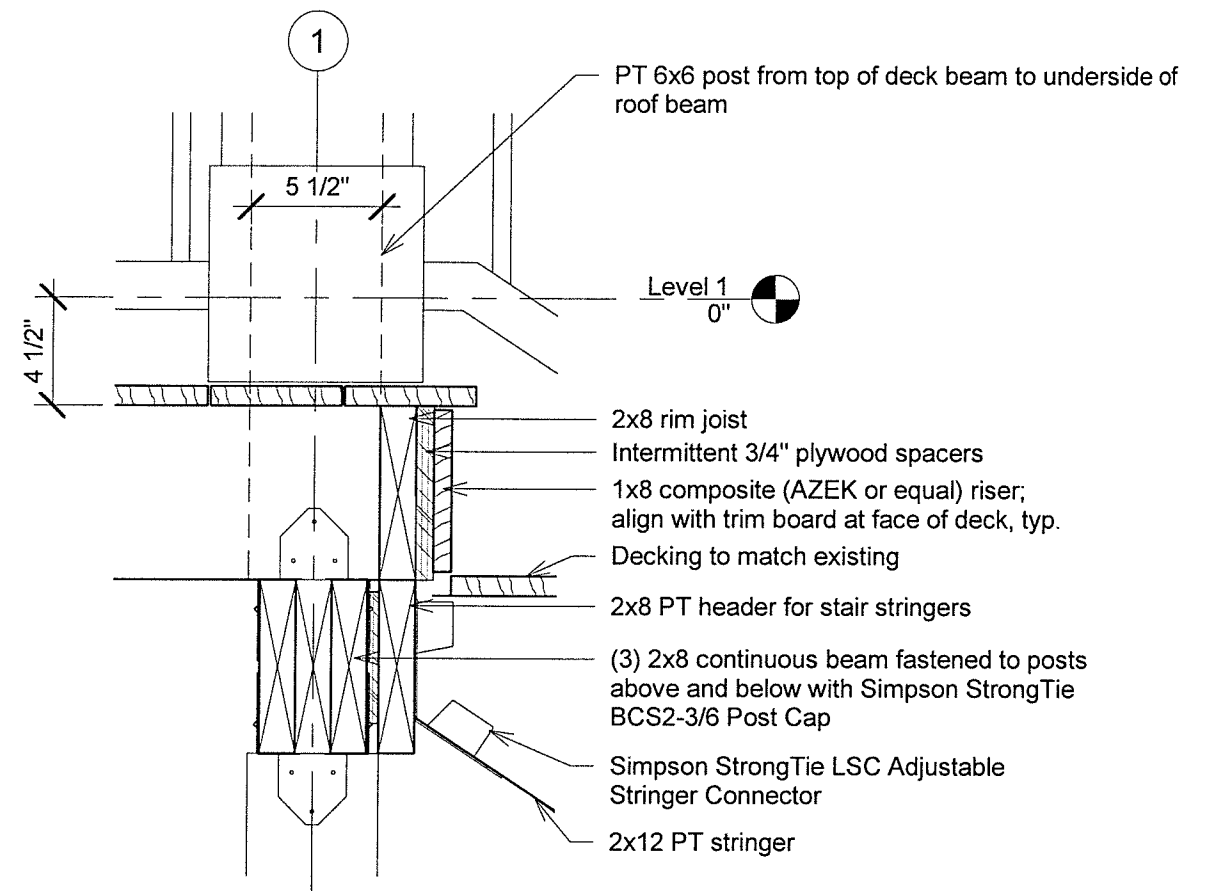
Details at Interface with Existing Structure

Permit Set	
Date	08-31-2021
Drawn by	DO
	A07



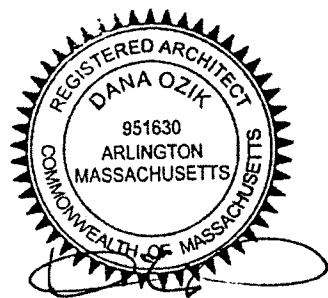
Detail at Column C1 and Typical Deck Enclosure

2 1 1/2" = 1'-0"



Detail at Top of Stair

1 1/2" = 1'-0"



No.	Description	Date

DANA OZIK
ARCHITECTURE

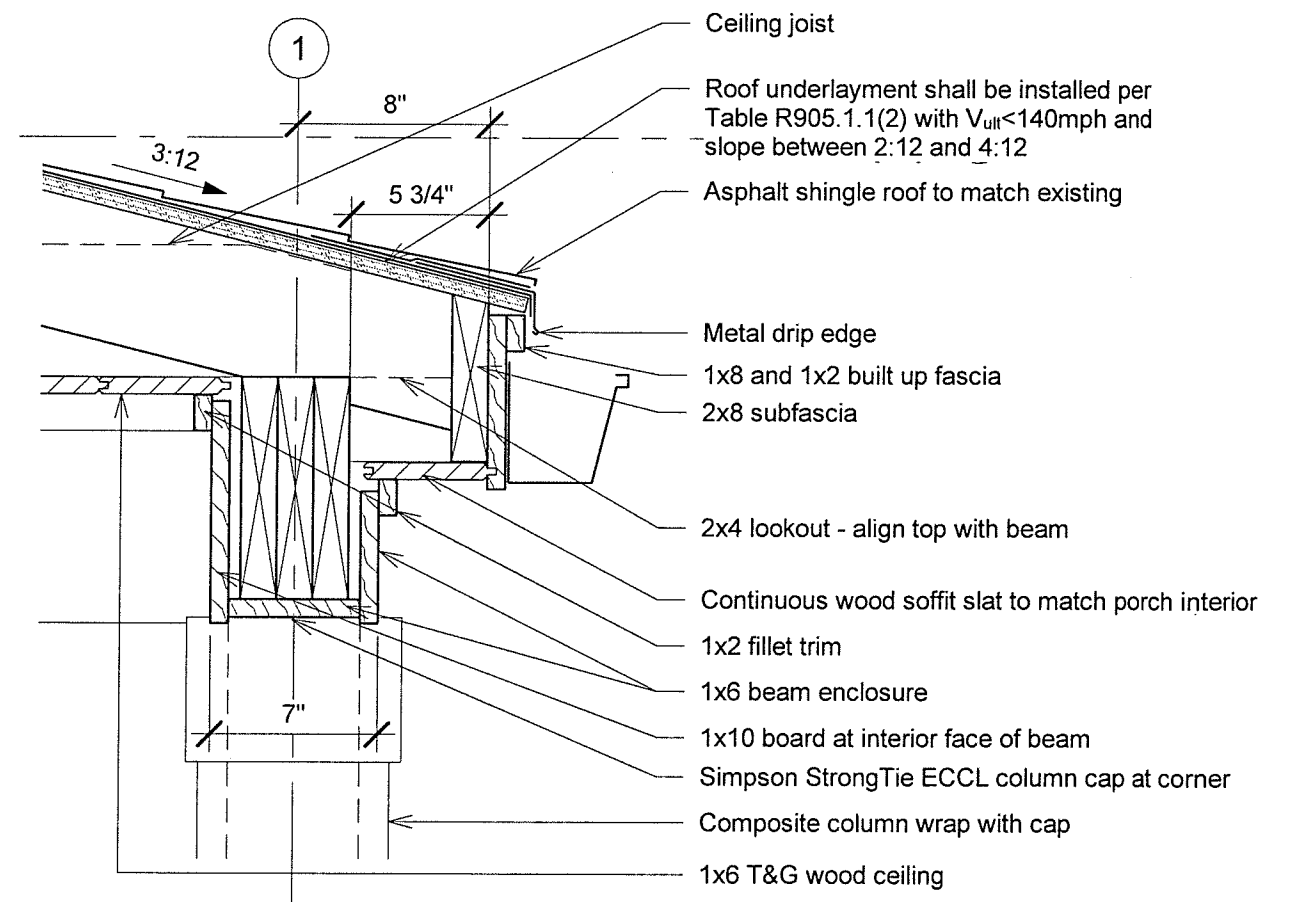
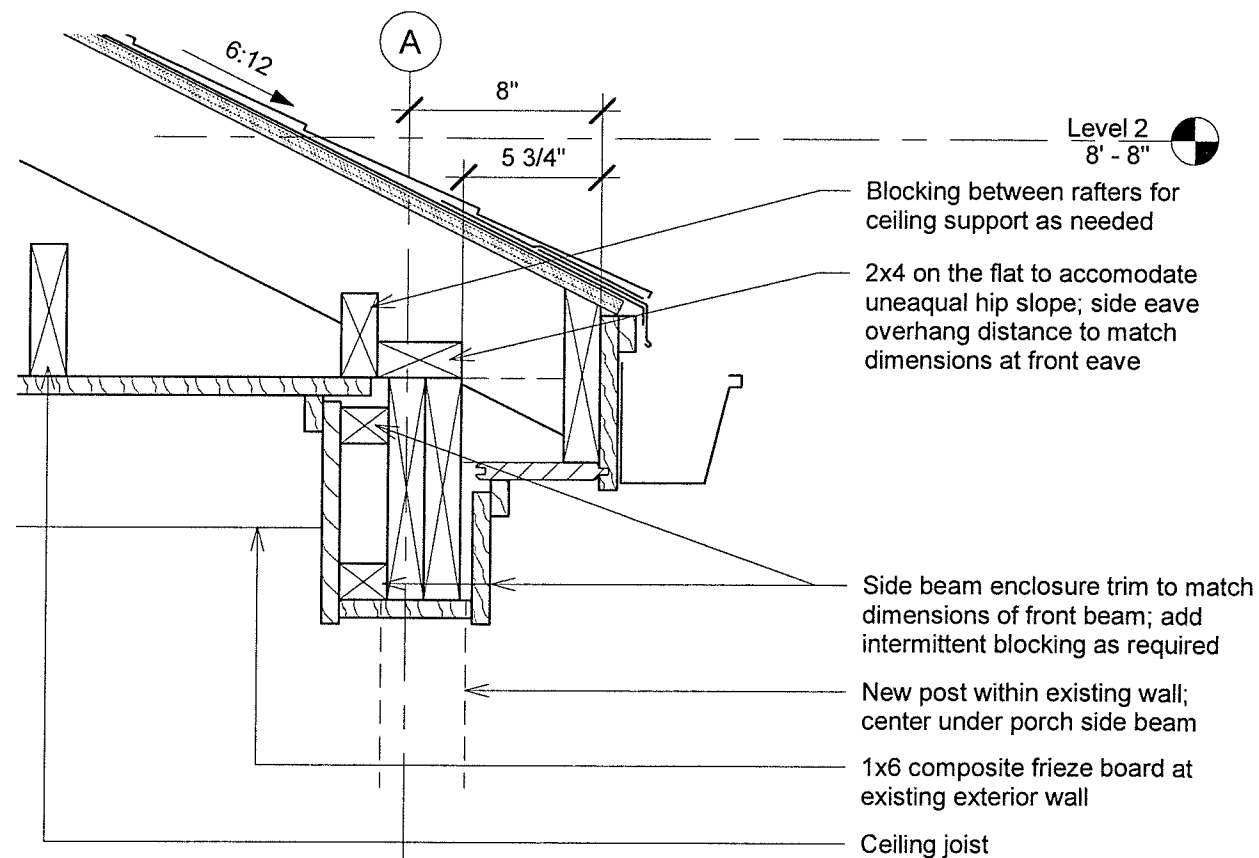
28A Park St, Arlington, MA 02474
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Mikkelson Front Porch Addition

82 Grandview Road, Arlington

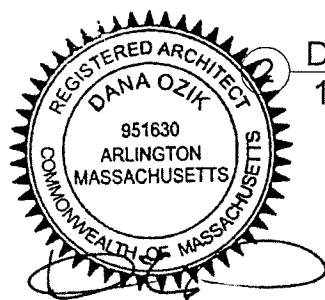
Deck Edge Details

Permit Set	
Date	08-31-2021
Drawn by	DO
A08	



Detail at Porch Roof Eave - Steep Roof
1 1/2" = 1'-0"

① Detail at Porch Roof Eave - Shallow Roof
1 1/2" = 1'-0"



No.	Description	Date

DANA OZIK
ARCHITECTURE

28A Park St, Arlington, MA 02474
www.danaozikarchitecture.com

Mikkelson Front Porch Addition

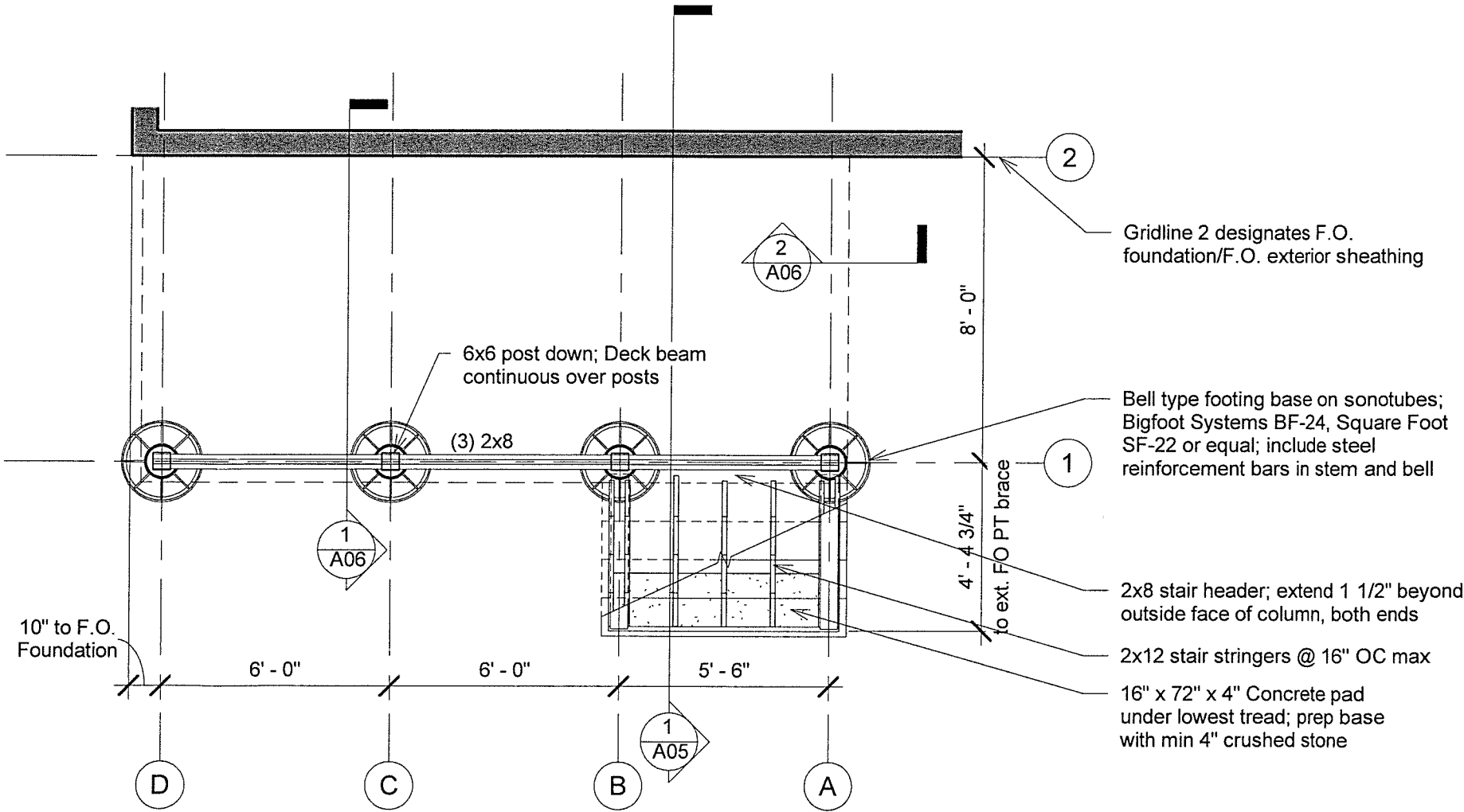
82 Grandview Road, Arlington

Roof Eave Details

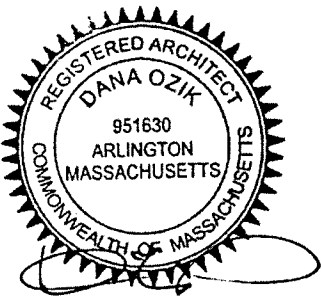
Permit Set	
Date	08-31-2021
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GENERAL NOTES: STRUCTURAL

1. Applicable codes: Massachusetts State Building Code, 9th Edition Residential Code (based on the 2015 International Residential Code)
2. The structural design of the deck is based on the full interaction of all of its parts. Contractor shall bear the sole responsibility of making proper and adequate provisions for the stability of the structure during the course of construction.
3. Design Loads:
A. Live Load - Porch 40 PSF
B. Dead Load - Porch 10 PSF
C. Snow Load - Ground 40 PSF
D. Dead Load - Roof 20 PSF
4. Design Wind Speed: 127 MPH; Risk category II; Wind exposure class B
5. Foundation design an assumed Soil Bearing Capacity of 1500 PSF with frost depth of 4ft.
6. Bearing materials and footing elevations shown are based on assumed conditions. If upon excavation, deviations are found, Contractor shall notify the Architect.
7. All foundations shall bear on undisturbed material and all soils adjacent to and below footings shall be kept from freezing at all times. If any frozen material is found below the footing, it shall be removed and replaced with engineered structural fill.
8. Severe weathering conditions require concrete compressive strength $f'_c=3500\text{psi}$ or better @ 28 days per Table R402.2.
9. All reinforcement shall be securely held in place for concrete placement with additional bard or stiffups provided to support all bars as required. Dowels shall not be wet-stuck.
10. Minimum concrete cover for reinforcing steel shall be min. 1 1/2" where cast against forms and exposed to earth/weather. Cover shall increase to 3" min. if concrete is cast directly in and permanently exposed to earth.
11. With the exception of roof framing members that will be protected from weather, all deck framing members and porch columns shall be PT Southern Pine #2 or better. Any member in direct contact with concrete or foundation shall be rated for ground contact. Weather protected structural framing members are not required to be pressure treated.
12. Fasteners and connectors in contact with PT framing members shall be in accordance with ASTM A153, zinc coated, hot-dipped galvanized.
13. All framing lumber shall be checked before use, with all checked, split, and otherwise deficient stock rejected or used only for miscellaneous blocking/furring/incidental use.
14. Roof sheathing shall be 19/32" thick APA-rated CDX grade plywood or 5/8" Zip roof sheathing, installed per code or manufacturer's instructions.



1 Structural - Foundation Plan
1/4" = 1'-0"



No.	Description	Date

DANA OZIK
ARCHITECTURE

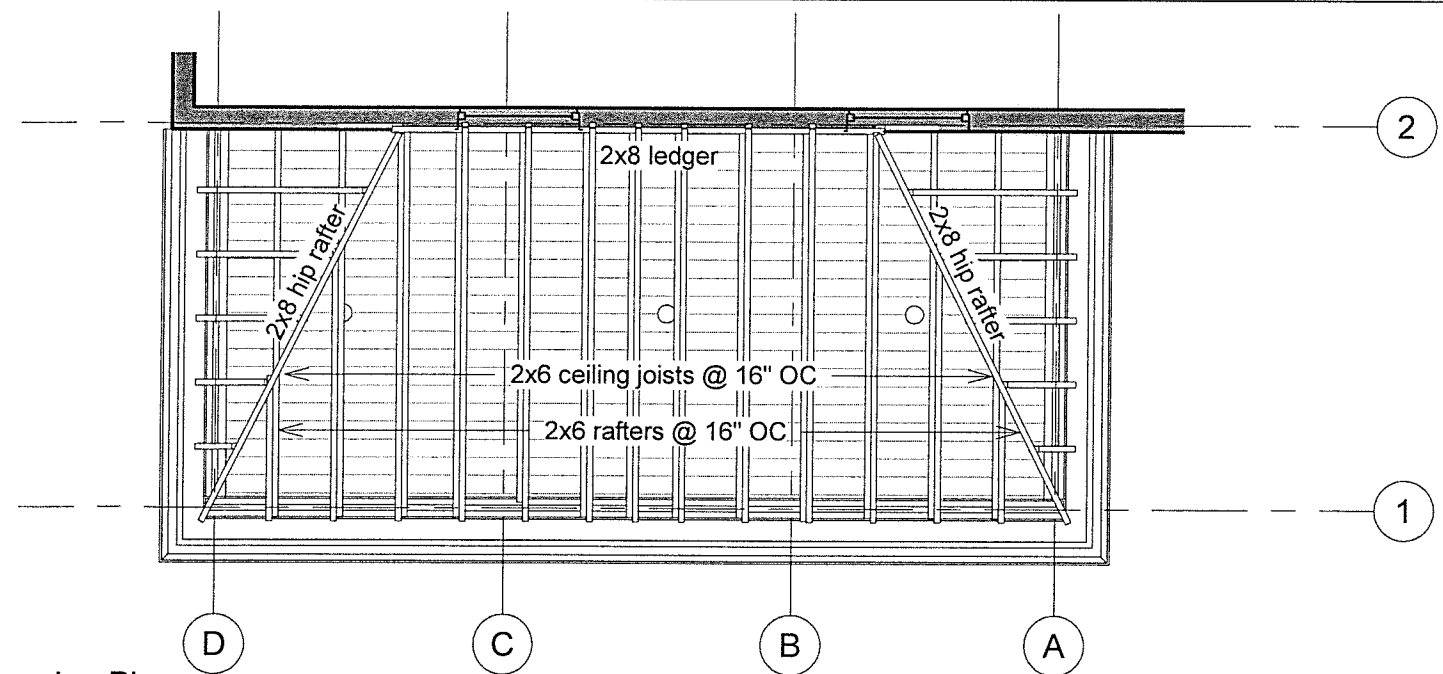
28A Park St, Arlington, MA 02474
63.9.64
www.danaozikarchitecture.com

Mikkelson Front Porch Addition

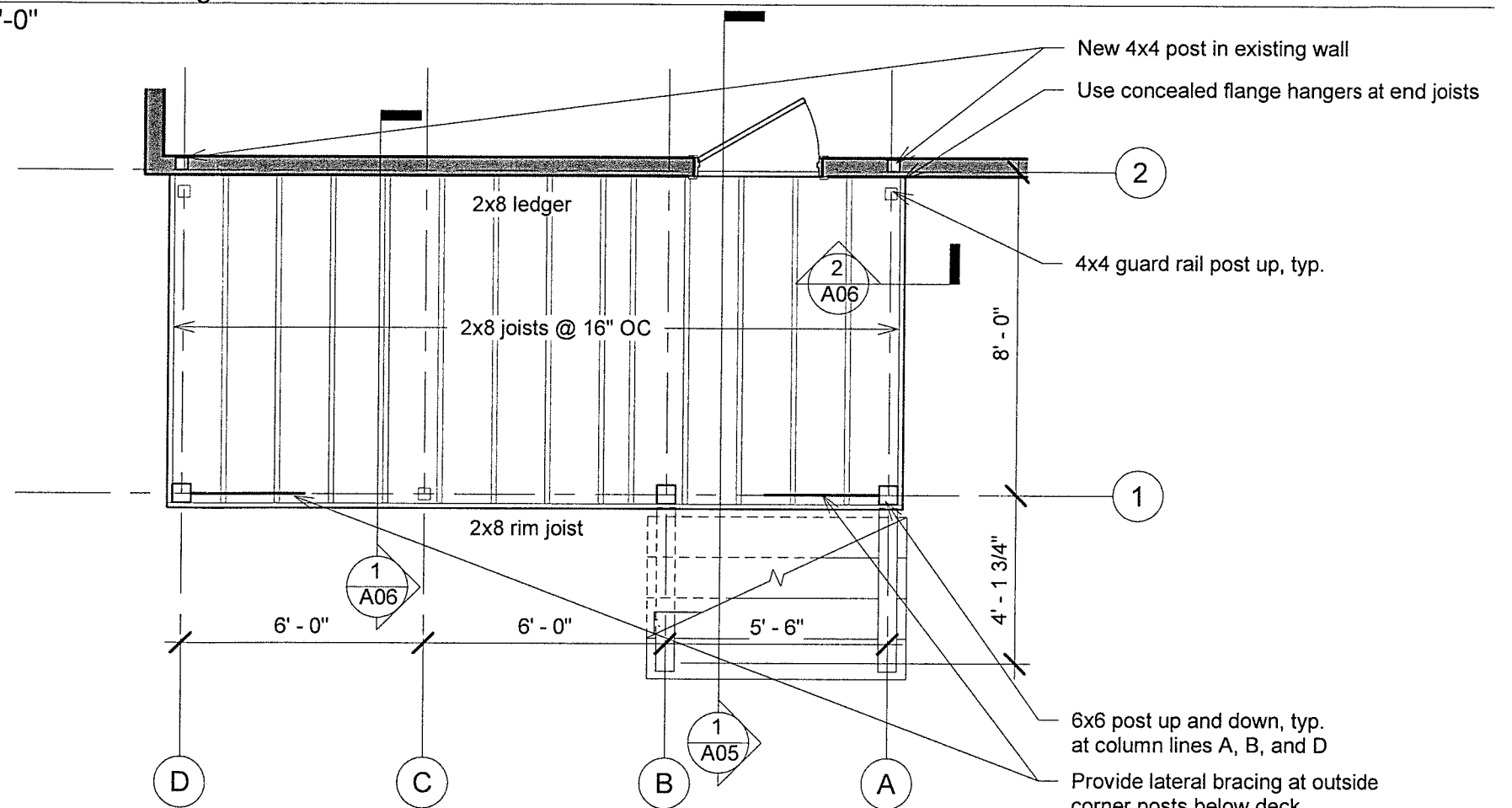
82 Grandview Road, Arlington

Structural Plans

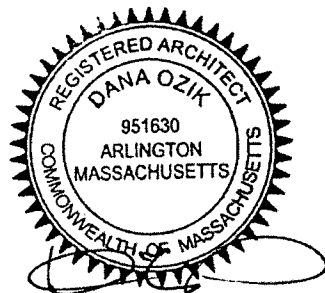
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② Structural - Roof Framing Plan
1/4" = 1'-0"



① Structural - Deck Framing Plan
1/4" = 1'-0"



No.	Description	Date

DANA OZIK
ARCHITECTURE

28A Park St, Arlington, MA 02474
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Mikkelson Front Porch Addition

82 Grandview Road, Arlington

Structural Plans

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